

**COLFAX CITY COUNCIL MEETING  
REGULAR SESSION AGENDA**

City Council Chambers  
33 S. Main Street, Colfax, CA.

**March 14, 2012**  
**6:00 PM (Closed Session)**  
**7:00 PM (Regular Session)**

Last Ordinance  
#515

Last Resolution  
03-2012

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In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the building & safety director, (530) 346-2313. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibilities to this meeting.

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**1. OPENING**

- A. Call to Order
- B. Roll Call

**2. PUBLIC COMMENT**

**3. CLOSED SESSION**

Conference with Legal Counsel—Anticipated Litigation

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9

Number of potential cases: 1

Conference with Legal Counsel—Initiation of Litigation

Initiation of litigation pursuant to subdivision (c) of Section 54956.9

Number of potential cases: 1

Conference with Legal Counsel—Existing Litigation

Number of Cases: 3

(Subdivision (a) of Section 54956.9)

Name of case: Edwards et.al. v. City of Colfax, Federal District Ct, Eastern Dist. Of California # 07-CV-02153-GEB-EFB

Name of Case: Woodford vs Colfax, Placer County Superior Court #SCV26658

Name of Case: Tricoi vs Colfax

Conference with Labor Negotiators pursuant to Government Code Section 54957.6. City's

Designated Representatives: City Manager Bruce Kranz and City Attorney Alfred Cabral.

Employee Organization: All represented and unrepresented employees

**4. OPENING**

- A. Pledge Of Allegiance
- B. Announcement of Action Taken at Closed Session
- C. Approval of Agenda Order

This is the time for changes to the agenda to be considered including removal, postponement or change to agenda sequence.

**Recommended Action:** By motion accept the agenda as presented or amended.

Members of the public who addresses the Council shall do so in an orderly manner. No person shall yell or make profane or threatening remarks to any member of the Council, staff or general public. No person shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet, clapping, or other acts that unreasonably disturb, disrupt, delay or otherwise impede the orderly conduct of any Council meeting. Except as allowed by rules of order, a councilmember or staff person shall not by conversation or other means delay the Council proceedings or disturb any other councilmember or staff person while speaking.

## **5. CITY COUNCIL COMMITTEE REPORTS**

The purpose of these reports is to provide information to the City Council and public on projects and programs that are discussed at committee meetings. No decisions are to be made on these issues. If a Council member would like formal action on any of these discussed items, it will be placed on a future Council Agenda

## **6. INFORMATION REPORTS FROM STAFF AND OTHERS**

## **7. CONSENT AGENDA**

All matters listed under the Consent Agenda are considered to be routine in nature and will be approved by one blanket motion with a roll call vote. There will be no separate discussion of these items unless persons request specific items to be removed from the Consent Agenda for discussion and separate action. Any items removed will be considered after the motion to approve the Consent Agenda. If you wish to have an item pulled from the Consent Agenda for discussion, please notify the City Clerk.

### **RECOMMENDED ACTION**

*Receive and File*

A. Minutes: February 22, 2012

B. Policy regarding Planning Department Administrative Fee  
Waiver/Refund for Certain Design Review Projects

*Approve Waiver/Refund  
of fees*

### **CONSENT ITEMS PULLED FOR DISCUSSION**

## **8. PUBLIC COMMENT**

At this time, members of the audience are permitted to address the City Council on matters of concern to the public not listed on this agenda. Please make your comments as brief as possible, comments should not exceed three (3) minutes in length. The Council cannot act on items not included on this agenda; however, if action is required it will be referred to staff.

## **9. PUBLIC HEARING**

### **Notice to Public**

City Council, when considering a matter scheduled for hearing, will take the following actions:

1. Open the Public Hearing
2. Presentation by Staff
3. Presentation, when applicable, by Applicant or Appellant
4. Accept Public Testimony
5. When applicable, Applicant or Appellant rebuttal period
6. Close public hearing (No public comment is taken hearing is closed)
7. Council comments and questions

8. City Council action

Public hearings that are continued will be so noted. The continued public hearing will be listed on a subsequent council agenda and posting of that agenda will serve as notice

- A. Second Reading and Adoption of Ordinance No. 516: An Ordinance Of The City Of Colfax Adding Section 17.112.175 To Chapter 17.112 of Title 17 Of The Colfax Municipal Code Allowing Digital Billboard Signs on City-Owned Property; Public Hearing and Adoption of Resolution 04-2012: A Resolution Of The Planning Commission Of The City Of Colfax Certifying the Negative Declaration for the Citywide Ordinance Amendment (#PL-01-12)  
**Recommended Action:** Conduct Public Hearing, Consider Public and Staff Comments and Adopt Ordinance No. 516 and Resolution 04-2012

10. COUNCIL BUSINESS

- A. Consideration of Adoption of Adoptions of Resolution No. 05-2012: A Resolution Of The City Council Of The City Of Colfax Reducing The Landfill Postclosure Surcharge Established By Resolution 20-92  
**Recommended Action:** Adopt Resolution No. 05-2012

- B. Consideration of Approval of Art Mural Project on Union Pacific Shed  
**Recommended Action:** Approve Mural

11. PRESENTATIONS

12. ADJOURNMENT

Administrative Remedies must be exhausted prior to action being initiated in a court of law. If you challenge City Council action in court, you may be limited to raising only those issues you or someone else raised at a public hearing described in this notice/agenda, or in written correspondence delivered to the City Clerk of the City of Colfax at, or prior to said public hearing.

AGENDA POSTED, March 8, 2012  
at City Hall and Post Office locations

  
Karen Pierce, City Clerk

Minutes  
City Council Meeting  
February 22, 2012

**1. OPENING**

Mayor Harvey called the meeting to order at 6:05pm.

Present and answering roll call were Council members Roberts, Delfino, Barkle, Alpine and Mayor Harvey.

**2. PUBLIC COMMENT**

There was no public comment

**3. CLOSED SESSION**

Mayor Harvey called the closed session to order at 6:05pm

Conference with Legal Counsel—Existing Litigation (Subdivision (a) of Government Code Section 54956.9) Name of case: Edwards et.al. v. City of Colfax, Federal District Ct, Eastern Dist. Of California # 07-CV-02153-GEB-EFB

Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Government Code Section 54956.9). Name of case: City of Colfax vs Stationary Engineers Local 39 Health and Welfare Trust Fund, United States District Court, Northern District of California Case No. C12-00281-MMC and Alameda County Superior Court Case No. RG12614472.”

Conference with Labor Negotiators pursuant to Government Code Section 54957.6. City's Designated Representatives: City Manager Bruce Kranz and City Attorney Alfred Cabral. Employee Organization: All represented and unrepresented employees

Mayor Harvey closed the closed session at 6:55pm.

**4. OPENING AND AGENDA APPROVAL**

Mayor Harvey called the regular meeting to order at 7:02pm.

Councilman Delfino led the Pledge of Allegiance

Mayor Harvey stated that there was no reportable action taken in Closed Session.

A motion was made by councilman Alpine and seconded by councilman Delfino to approve the agenda as presented. The motion was passed by the following vote:

AYES: Roberts, Delfino, Barkle, Alpine and Mayor Harvey

NOES:

ABSENT:

ABSTAIN:

## **5. CITY COUNCIL COMMITTEE REPORTS**

Councilwoman Barkle reported on the Air Quality Board meeting

Councilwoman Roberts reported on the WAC/MAC meeting

Mayor Harvey reported on the PCTPA meeting

## **6. INFORMATION REPORTS FROM STAFF AND OTHERS**

City Manager, Bruce Kranz reported on the following:

- Updated council on job advertisement for WWTP Operator II. Staff is hoping to have the job filled by May 1.

City Attorney, Mick Cabral commented on statements made in the Sierra Vista Newsletter that he found to be grossly misleading regarding the sewer charges and explained the facts to council and to the public.

## **7. CONSENT AGENDA**

A. Minutes: February 8, 2012

### **ACTION TAKEN**

*Received and Filed*

B. Cash Balance Summary: January 31, 2012

*Received and Filed*

C. Receipt of City of Colfax Audit Reports as of June 30, 2011:

*Received and Filed*

- Audited Financial Statements
- Compliance Reports
- Management Letter
- Appropriation Limits
- SAS 114 Letter

A motion was made by councilwoman Roberts and seconded by councilman Delfino to approve the consent agenda as presented. The motion was passed by the following vote:

AYES: Roberts, Delfino, Barkle, Alpine and Mayor Harvey

NOES:

ABSENT:

ABSTAIN:

## **8. PUBLIC COMMENT**

Nancy Hagman, Cemetery Board gave an update on what is happening with the Colfax Cemetery Board.

Frank Klein and Audrey Powell, Chamber members attended to introduce themselves.

## **9. PUBLIC HEARING**

### **A. Public Hearing and Consideration of Adoption of Resolution No. 03 -2012: A Resolution of the Planning Commission of the City of Colfax Approving An Application (#DRJSPR-02-11) for Design Review and Site Plan Review for the Mc Donalds remodel project.**

Mayor Harvey convened the Planning Commission meeting at 7:25pm and declared the City Council meeting held in abeyance while members of the City Council sat as Planning Commissioners. Chair Harvey thereupon opened the Public Hearing. Land Use Attorney Brigit Barnes went over the Staff Report, resolution and project. Representatives from McDonalds addressed design questions from Commission members.

Speaking from the public was:

Lynn Tausch, business owner raising concerns with the exterior design

Chair Harvey closed the public hearing at 7:40 pm. The Planning Commission made comments regarding the proposed colors, roofline and whether the building should be modified at all. Members Alpine and Barkle expressed concerns with exterior design. All Commission Members expressed support for the design of the drive-through, 24 hour operations and lighting.

Chair Harvey called for a 5 minute recess at 7:50 pm to allow the Land Use Attorney to discuss issues raised by the Council with the applicant.

Land Use Attorney Brigit Barnes suggested modifying Resolution No. 03-2012 and recommended approval of hours of operation, lighting and design of the drive through as submitted. Ms. Barnes further recommended withholding approval of paragraphs 10 and 11 of Resolution 03-2012 and requiring the applicant to resubmit plans for exterior design to incorporate comments made by the Commission and the public, with revised plans and Resolution paragraphs 10 and 11 to be submitted to the Land Use Committee for final approval. A motion was made by Commission Member Barkle and seconded by Commission Member Delfino to adopt Resolution No. 03-2012 as presented except that approval of paragraphs 10 and 11 of Resolution 03-2012 is withheld pending submission of revised plans for the design of the building exterior to the Land Use Committee for final approval. The motion was passed by the following vote, after which the Planning Commission meeting was adjourned and the City Council meeting resumed:

AYES: Roberts, Delfino, Barkle, Alpine and Chair Harvey

NOES:

ABSENT:

ABSTAIN:

### **B. Introduction and First Reading of Ordinance No. 516: An Ordinance of the City of Colfax adding Chapter 17.112.175 to Title 17 of the Colfax Municipal Code allowing Digital Billboard Signs on City Owned land.**

Mayor Harvey opened the Public Hearing. Land Use Attorney, Brigit Barnes went over the Staff Report, Ordinance and project.

Speaking from the public was:

Linda Luhaine, county resident

Lynn Tausch, business owner

Frank Klein, Chamber of Commerce

Nancy Hagman, resident

Mayor Harvey closed the Public Hearing. Council had comments. A motion was made by councilman Delfino and seconded by councilwoman Roberts to introduce the proposed Ordinance by title only, conduct a public hearing and thereafter by motion waive the first reading and continue for second reading and adoption at the March 14, 2012 regularly scheduled council meeting to be effective 30 days thereafter. The motion was passed by the following vote:

AYES: Roberts, Delfino, Barkle, Alpine and Mayor Harvey

NOES:

ABSENT:

ABSTAIN:

**C. Annual Public Hearing Notice for the Community Development Block Grant program.**

CDBG Consultant, David Nelson went over the staff report and CDBG Notice of Funding Availability report for 2012. There was no public comment. Council had questions and comments.

**10. COUNCIL BUSINESS**

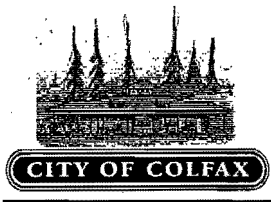
**A. Discuss and Provide direction as to Acquiring the Court House from the County**

City Manager, Bruce Kranz went over the staff report. Council discussed and agreed to accept the building and use as required for public use. Direction was given to pursue grants to assist with building rehabilitation.

**11. PRESENTATION**

**12. ADJOURNMENT**

Being no further business to come before council by voice vote the meeting was adjourned at 9:35pm.



## **REPORT TO COLFAX CITY COUNCIL**

**COUNCIL MEETING OF  
March 14, 2012**

Agenda Item No.

7B

**To:** Honorable Mayor and Members of the City Council  
**From:** Bruce Kranz, City Manager  
**Date:** March 2, 2012  
**Subject:** Policy regarding Planning Department Administrative Fee Waiver/Refund for Certain Design Review Projects

**Recommended Action:** Approve Waiver/Refund of fees

### **ISSUE STATEMENT AND DISCUSSION:**

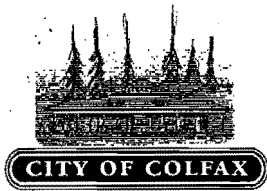
Planning Staff has been working on making revisions to the Zoning Code for several months. One of the proposed revisions is to define certain projects that would be exempt from the Design Review Permit process. One of the types of projects that would be exempt is the restoration/replacement of materials of the exterior on a commercial building. Currently, the Zoning Code requires a Design Review Permit if the project involves remodeling or restoration that will affect 20% of the exterior façade of an existing commercial structure (Chapter 17.96.030).

During this Zoning Code revision process, the City Building Official, in certain circumstances, has required property owners to make immediate building improvements for public safety reasons. These improvements triggered the Design Review Permit process before revisions to the Zoning Code could be accomplished. As a result, the Land Use Committee recommends a policy that would waive or refund the Planning Department's Administrative Fee portion of the Design Review Permit fees for these types of projects until revisions to the Zoning Code are completed. The effective date of the policy would be January 1, 2010 (retroactive) and would expire on December 31, 2012, or at such time as the Administrative Zoning Code Revisions are adopted and take effect, whichever is earlier. The policy would only apply to Planning Department Administrative Fees and to projects that were deemed necessary by the City Building Official for public health, safety and welfare.

### **FINANCIAL AND/OR POLICY IMPLICATIONS:**

This policy would result in the refund of fees on at least one (1) Design Review Permit Project in the sum of \$800.94. Other similar projects that have been processed since January 1, 2010 could result in refunds of approximately \$1,000.00. There are no other pending Design Review Permit projects that meet the policy's criteria at this time.





REPORT TO  
COLFAX CITY COUNCIL

COUNCIL MEETING OF  
MARCH 14, 2012

Agenda Item No.

9A

**To:** Honorable Mayor and Members of the City Council  
**From:** Brigit S. Barnes, Planning Director and Land Use Attorney  
**Date:** March 7, 2012  
**Subject:** Second Reading and Adoption of Ordinance No. 516: An Ordinance Of The City Of Colfax Adding Section 17.112.175 To Chapter 17.112 of Title 17 Of The Colfax Municipal Code Allowing Digital Billboard Signs on City-Owned Property; Public Hearing and Adoption of Resolution 04-2012: A Resolution Of The City Council Of The City Of Colfax Certifying the Negative Declaration for the Citywide Ordinance Amendment (#PL-01-12)

**Recommended Action:** Conduct Public Hearing, Consider Public and Staff Comments and Adopt Ordinance No. 516 and Resolution 04-2012

**PROJECT LOCATION:** Citywide ordinance amendment, Colfax, Placer County, California

**PUBLIC NOTICE:** This meeting has been noticed in accordance with the requirements of California Planning and Zoning Law, Title 7, Chapter 65000, Government Code, as amended.

**PROJECT DESCRIPTION:** #PL-01-12/Sign Ordinance Amendment to Allow Digital Billboard Signs on City-Owned Property as defined in the Amendment. The project proposes to amend the Colfax Sign Ordinance (Colfax Municipal Code Title 17) to allow one or more digital billboard signs, each with two displays, to be constructed and operated on City-owned property along Interstate Highway 80 and State Route 174 within the Colfax corporate boundaries, provided such locations are approved by Caltrans. Approval of the Digital Billboard Sign Ordinance would not permit the immediate construction or operation of digital billboard signs. If approved, the City intends to allow the construction, maintenance and operation of digital billboard signs on City-owned property adjacent to freeways pursuant to a relocation agreement, or on such other terms that are acceptable to the City. The Digital Billboard Sign Ordinance requires that the total number of billboard signs in the City, whether digital or not, may not exceed the number of billboard signs existing in the City at the time the Digital Billboard Sign Ordinance is adopted, without further action of the City Council. The locations for the digital

billboard signs will be limited to areas with commercial or industrial zoning, away from residential or other sensitive land uses, and within 660 feet of freeway or highway right-of-way.

#### **ISSUE STATEMENT AND DISCUSSION:**

This item is before you for consideration because digital billboard signs have gained in popularity and profitability due to their ability to rotate over 11,000 advertising messages in a 24-hour period with a single sign compared to one message per static billboard (calculation based on 8 ads per minute). Staff has observed recent successes with implementation of digital billboard sign programs in other communities, such as the City of Sacramento.

The purpose of this ordinance is to allow one or more digital billboard signs to be constructed and operated on City-owned commercial or industrial-zoned property along Interstate Highway 80 and State Route 174 within the city limits of Colfax. "City-owned property" means and refers to any property in which the City is the owner of the majority of the fee title interest, or property in which the City has a leasehold, easement, license or other possessory interest.

The City's Municipal Code currently appears to prohibit electronic/digital signs (except specially-permitted time and temperature signs). Therefore, this ordinance is necessary if the City wants to allow digital billboard signs. The proposed Digital Billboard Sign Ordinance requires that the total number of billboard signs in the City, whether digital or not, may not exceed the number of billboard signs existing in the City at the time the Digital Billboard Sign Ordinance is adopted, without further action of the City Council.

#### **FINANCIAL AND POLICY IMPLICATIONS:**

In partnership with outdoor advertising agencies, communities are securing long-term revenue sources by exchanging static billboards for digital equivalents. Lease Agreements executed between outdoor advertising agencies and the City could provide for signing bonuses and monthly rents for each digital billboard sign, which would result in a reliable revenue stream for the City. Other benefits to the City could include some amount of negotiated advertising for local community events and businesses, after staff receives comments from the City Council.

#### **EXISTING SETTING:**

##### ***Interstate Highway 80***

The I-80 corridor bisects the city from southwest to northeast and traverses various land use types, including residential, commercial, and industrial uses. The visual landscape of the I-80 corridor through Colfax is defined by various legal conforming and non-conforming on-premise signs, structures of varying age and states of repair, high-voltage power line towers, natural forest and native vegetation. Through most of Colfax, Canyon Way (East side) and South Auburn Street or SR 174 (West side) run perpendicular to I-80. See Attachment 1 for photos of existing conditions. In addition, there are ten (10) existing legal non-conforming billboards (non-electronic) located in the corridor.

## ***State Highway 174***

Highway 174 provides access into the City's highway commercial zone along the I-80 corridor and access to neighboring communities such as Grass Valley and Nevada City, and acts as a link between Highway 20 and Interstate 80. The visual landscape of the Highway 174 corridor is defined primarily by residential and commercial uses. No billboards presently exist along the Highway 174 corridor.

### **REGULATORY SETTING:**

#### ***Federal***

The federal Highway Beautification Act of 1965 (23 U.S.C. 131) provides for control of outdoor advertising, including removal of certain types of signs, along the interstate highway system. It requires certain junkyards along Interstate or primary highways to be removed or screened and encourages scenic enhancement and roadside development. The Act is enforced by the Federal Highway Administration (FHWA). As part of its encroachment effort, the FHWA has entered into agreements regarding the Act with state departments of transportation. The agreements with California are described under the State provisions, below.

#### ***State***

The California Department of Transportation (Caltrans) is involved in the control of "off-premise" displays along state highways. Such displays advertise products or services of business located on property other than the display. Caltrans does not regulate on-premise displays.

The Federal Highway Administration has entered into written agreements with various states as part of the implementation of the Highway Beautification Act. The City is informed that California has entered into two such agreements: one dated May 29, 1965, and a subsequent agreement dated February 15, 1968. The agreements generally provide that the State will control the construction of all outdoor advertising signs, displays and devices within 660 feet of the interstate highway right-of-way. The agreements provide that such signs shall be erected only in commercial or industrial zones, and are subject to the following restrictions:

- No signs shall imitate or resemble any official traffic sign, signal or device, nor shall signs obstruct or interfere with official signs;
- No signs shall be erected on rocks or other natural features;
- Signs shall be no larger than 25 feet in height and 60 feet in width, excluding border, trim and supports;
- Signs on the same side of the freeway must be separated by at least 500 feet; and
- Signs shall not include any flashing, intermittent or moving lights, and shall not emit light that could obstruct or impair the vision of any driver.

California regulates outdoor advertising in the Outdoor Advertising Act (Business and Professions Code §5200 et seq.) and the California Code of Regulations, Title 4, Division 6

(§2240 et seq.). Caltrans enforces the law and regulations. Caltrans requires applicants for new outdoor lighting to demonstrate that the owner of the parcel consents to the placement of the sign, that the parcel on which the sign would be located is zoned commercial or industrial and that local building permits are obtained and complied with. A digital billboard is identified as a “message center” in the statute, which is an advertising display where the message is changed more than once every two minutes, but no more than once every four seconds. (Business and Professions Code §5216.4).

Some freeways are classified as “landscaped freeways.” A landscaped freeway is defined as one that is now, or may in the future be, improved by the planting of lawns, trees, shrubs, flowers or other ornamental vegetation requiring reasonable maintenance on one or both sides of the freeway (§5216). Off-premise displays are not allowed along landscaped freeways except when approved as part of relocation agreements. Caltrans has interpreted these provisions as allowing new billboards along such freeway segments if a relocation agreement has been approved pursuant to §5412 of the Outdoor Advertising Act. Currently, the City of Colfax does not have any freeway segment that is classified as a “landscaped freeway.” However, in the event a Colfax freeway segment is classified as a “landscaped freeway” in the future, the ordinance provides for the utilization of relocation agreements.

The Outdoor Advertising Act contains a number of provisions relating to the construction and operation of billboards:

- The sign must be constructed to withstand a wind pressure of 20 pounds per square foot of exposed surface (§5401);
- No sign shall display any statements or words of an obscene, indecent or immoral character (§5402);
- No sign shall display flashing, intermittent or moving light or lights (§5304(h));
- Signs are restricted from areas within 300 feet of an intersection of highways or of highway and railroad right-of-ways, but a sign may be located at the point of interception, as long as a clear view is allowed for 300 feet, and no sign shall be installed that would prevent a traveler from obtaining a clear view of approaching vehicles for a distance of 500 feet along the highway (§5404); and
- Message center signs may not include any illumination or message change that is in motion or appears to be in motion or that change or expose a message for less than four seconds. No message center sign may be located within 500 feet of an existing billboard, or 1,000 feet of another message center display, on the same side of the highway (§5405).

Additional restrictions on outdoor signage are found in the California Vehicle Code. Vehicle Code §21466.5 prohibits the placing of any light source “...of any color of such brilliance as to impair the vision of drivers upon the highway.” Specific standards for measuring light sources are provided. The restrictions may be enforced by Caltrans, the California Highway Patrol, or local authorities.

*City*

The Colfax Municipal Code currently prohibits electronic signs (except specially-permitted time and temperature signs). As such, this citywide ordinance amendment is necessary in order to allow digital billboard signs in Colfax.

## PROJECT ANALYSIS:

The proposed ordinance is consistent with the City's General Plan goals to expand economic development throughout the City. The use of a relocation agreement or other mechanism that requires the removal of an existing traditional billboard will result in no net increases in the amount of total billboards located in the City. Because the City will be the owner of the majority of the fee title, or otherwise have a leasehold, easement, license or other possessory interest in the property on which digital billboard signs are constructed, the City will be able to ensure the proper maintenance and operation of the digital billboard sign.

At the public hearing on the first reading of the ordinance, held on February 22, 2012, the Planning Commission members directed staff to amend the ordinance to address concerns from the Commission and the public, namely the following:

1. Limit the allowable locations for digital billboard signs on State Route 174 to the following two areas: (a) the intersection of Central Avenue and State Route 174; and (b) the curve area that is visible from I-80 (approximately 200 feet from the intersection of Central Avenue and State Route 174).
2. Limit the allowable size of digital billboard signs on State Route 174.

Staff has revised the ordinance to reflect this direction. See Attachment 2.

In response to the comments from the Planning Commission members and the public, Staff pulled representative samples of digital billboard signs in the Greater Sacramento area. See Attachment 3. The purpose of this information is to provide an idea of the different sizes of digital billboard signs. The following examples show the ranges:

I-80 in the town of Dixon	12' x 25'	=	300 sq. ft.
I-80 & Eureka	18' x 34'	=	612 sq. ft.
Highway 50 & Folsom Automall	20' x 29'	=	580 sq. ft.
I-80 & Northgate	14' x 48'	=	672 sq. ft. <sup>1</sup>
Highway 50 & Howe Ave.	14' x 48'	=	672 sq. ft.
I-80 & Exposition Blvd.	20' x 60'	=	1,200 sq. ft.

As you can see from the first two pages of the materials, the 300 sq. ft. size digital billboard sign (Dixon Example) is substantially smaller than the maximum allowed by the Caltrans regulations (1,200 sq. ft). The last two pages of the materials contain photos of two examples of Sacramento

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<sup>1</sup> There are 10 signs in the Sacramento area that are this size.

digital billboard signs (672 sq. ft. size) that also show a Caltrans interchange-exit sign so you can compare them.

The ordinance was originally drafted to allow for the maximum size allowed (1,200 sq. ft.). Based on the information/examples provided, Staff seeks direction from the Planning Commission members as to what maximum size will be allowed on Interstate Highway 80 and what reduced-maximum size will be allowed on State Highway 174.

### ***Other City Departmental Review***

The City Engineer has no comments on the project. Building issues will be addressed during the Building Permit process. The City received no comments from the Fire Marshall or the Sheriff.

### **ENVIRONMENTAL ANALYSIS:**

In accordance with the California Environmental Quality Act, the City of Colfax conducted an Initial Study to determine whether the proposed project may have a significant adverse effect on the environment. On the basis of that study, the City found that the proposed project will not have a significant adverse effect on the environment, where such ordinances limit design and construction of such signs to compliance with the most recent Federal Highway Administration and Caltrans safety standards, and where the signs are designed and placed so that the light and messaging from such billboards is specifically directed toward motorists along state highways and thus do not contribute to light issues for nearby residents. Therefore, a proposed Negative Declaration was prepared and is included as Attachment No. 4.

The Negative Declaration analyzes the potential environmental impacts of the project across a wide range of impact areas. The Negative Declaration determined that the project would have no impact on Agriculture and Forest Resources, Mineral Resources, Population and Housing, Public Services, Recreation and Utilities and Service Systems. The project would have a less-than-significant impact, without the need for mitigation measures, on the following impact areas: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology & Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology & Water Quality, Land Use and Planning, Noise and Transportation and Traffic. There were no impact areas that required mitigation measures to reduce the impact to a less-than-significant level, nor were there any potentially significant impacts identified.

Staff has identified two impact areas that will most likely interest the Planning Commission and/or public – Aesthetics (light/glare) and Transportation/Traffic (safety) -- and therefore a discussion of the analyses for those impact areas are included in this Staff Report (excerpts taken from Negative Declaration).

### ***Aesthetics Discussion***

Impacts regarding degradation of existing visual character are expected to be less than significant. The proposed digital billboards would be located along a freeway within the City limits, in areas zoned for commercial or industrial uses, and away from sensitive receptors.

Relocation agreements or some other mechanism would be associated in connection with each digital billboard site that would require the removal of an existing traditional billboard as part of the construction and operation of a digital billboard. The removal of existing traditional billboards would have a beneficial aesthetic effect. The Planning Director would review the proposed digital billboard design as part of lease negotiations with the outdoor advertising agency, and design parameters would be imposed by the City through a public process, consistent with the community's aesthetic standard.

Future digital billboards may contribute to an increase in light and glare to passing motorists on 1-80, SR 174, and adjacent properties. The amount of additional light and glare would contribute to already-affected viewsheds. LED billboard technology allows sign brightness to be adjusted automatically depending on ambient lighting and weather conditions.

Any digital billboard constructed or operated must first obtain a Department of Transportation Outdoor Advertising Permit from the California Department of Transportation. As a condition of that permit, electronic billboards will be required to comply with the brightness requirements outlined in the Outdoor Advertising Act in that the illumination thereon shall not be of such brilliance or so positioned as to blind or dazzle the vision of travelers on adjacent highways (Business and Professions Code Section 5403). The standard used by Caltrans for enforcing sign brightness is as follows:

“The brightness reading of an objectionable light source shall be measured with a 1 1/2-degree photoelectric brightness meter placed at the driver's point of view. The maximum measured brightness of the light source within 10 degrees from the driver's normal line of sight shall not be more than 1,000 times the minimum measured brightness in the driver's field of view, except that when the minimum measured brightness in the field of view is 10 foot-lamberts or less, the measured brightness of the light source in foot-lambert shall not exceed 500 plus 100 times the angle, in degrees, between the driver's line of sight and the light source” (CVC 21466.5).

Although these restrictions have been imposed for traffic safety reasons, the resulting controls effectively regulate light and glare to ensure that the operation of any digital billboard sign does not create a substantial new source of light or glare. Based on the information presented above, the impacts resulting from light and glare are considered less than significant.

### ***Transportation and Traffic Discussion***

Digital billboards employ LED technology and allow for periodic changes in display. The capability of digital billboards to present changing images has raised concerns regarding the effect of such signage on traffic safety. The primary concern has been effects on driver attention, but concerns have also been raised regarding the potential for such signage to produce light of such intensity or direction that it could interfere with driver vision.

The Federal Highway Administration (FHWA) has addressed signage issues in general, and digital signs in particular. As part of its agreement with various states pursuant to the Highway Beautification Act, for example, it has confirmed that no sign is allowed that imitates or

resembles any official traffic sign, and that signs may not be installed in such a manner as to obstruct, or otherwise physically interfere with an official traffic sign, signal, or device, or to obstruct or physically interfere with the vision of drivers in approaching, merging or intersecting traffic. These provisions may be enforced by the FHWA, but the agreement with the State of California also requires Caltrans to enforce these provisions.

The FHWA agreement with California includes specific provisions regarding the brightness of signage:

Signs shall not be placed with illumination that interferes with the effectiveness of, or obscures any official traffic sign, device or signal; shall not include or be illuminated by flashing, intermittent or moving lights (except that part necessary to give public service information such as time, date, temperature, weather or similar information), shall not cause beams or rays of light to be directed at the traveled way if such light is of such intensity or brilliance as to cause glare or impair the vision of any driver, or to interfere with any driver's operation of a motor vehicle. [Agreement dated February 15, 1968].

The FHWA has responded to the development of signs that present changing messages, either mechanically or digitally, with an interpretation of its agreement with the states pursuant to the Highway Beautification Act. The FHWA discussed "changeable message signs" in a Memorandum dated July 17, 1996, concluding that a state could reasonably interpret the provisions of its agreement with the FHWA "...to allow changeable message signs...The frequency of message change and limitation in spacing for these signs should be determined by the State."

On September 25, 2007 the FHWA again issued a Memorandum on the subject of off-premises changeable electronic variable message signs, or CEVMS. The Memorandum stated that proposed laws, regulations and procedures that allowed CEVMS subject to acceptable criteria would not violate the prohibition on "intermittent" or "flashing" or "moving" signs as used in the state agreements. The Memorandum identified "ranges of acceptability" relating to such signage, as follows:

- Duration of message: Duration of display is generally between 4 and 10 seconds; 8 seconds is recommended;
- Transition time: Transition between messages is generally between 1 and 4 seconds; 1 to 2 seconds is recommended;
- Brightness: The sign brightness should be adjusted to respond to changes in light levels;
- Spacing: Spacing between the signs should be not less than the minimum specified for other billboards, or greater if deemed required for safety;
- Locations: Location criteria are the same as for other signage, unless it is determined that specific locations are inappropriate.

The Memorandum also referred to other standards that have been found helpful to ensure driver safety. These include a default designed to freeze the display in one still position if a malfunction occurs; a process for modifying displays and lighting levels where directed by the State DOT (Caltrans) to assure safety of the motoring public; and requirements that a display contain static messages without movement such as animation, flashing, scrolling, intermittent or full-motion



video. Manufacturers and operators of digital billboards currently use a full-black screen in the event of a malfunction.

In addition to the provisions of the Highway Beautification Act (23 U.S.C. §131) and the FHWA memoranda discussed above, the state of California has adopted the Outdoor Advertising Act (Business and Professions Code §5200 et seq.) and regulations implementing its provisions (California Code of Regulations, Title 4, Division 6, §2240 et seq.). These include provisions that deal specifically with “message centers,” which are defined as “...an advertising display where the message is changed more than once every two minutes, but no more than once every four seconds.” [5216.4]

Consistent with the memoranda executed pursuant to the Highway Beautification Act, the Outdoor Advertising Act provides that message center displays that comply with its requirements are not considered flashing, intermittent or moving light. [5405(d)(1)] The requirements provide that such signs must not display messages that change more than once every four seconds, and that no message center may be placed within 1,000 feet of another message center display on the same side of the highway.

The California Vehicle Code regulates the brightness of billboard lighting. Vehicle Code §21466.5, which identifies the applicable standard, may be enforced by Caltrans, the California Highway Patrol, or local authorities. Vehicle Code §21467 provides that each prohibited sign, signal, device or light is a public nuisance and may be removed without notice by Caltrans, the California Highway Patrol or local authorities.

Caltrans requires that any person engaged in the outdoor advertising business must obtain a license from Caltrans and pay the required fee. [5300] No person may place any advertising display in areas subject to Caltrans authority without having a written permit from Caltrans. [5350]

These provisions of law and regulation effectively regulate sign location and brightness to ensure that digital billboards will not be located in such a manner as to create hazards due to lighting conditions themselves. Digital billboards are equipped with sensors that modify the brightness of the sign in response to ambient lighting conditions, thus ensuring that the brightness of the display in evening, nighttime or dawn conditions does not present a traffic hazard.

As digital billboard technology has evolved, the issue has been raised as to whether digital billboards themselves, regardless of compliance with such operating restrictions, present a distraction to drivers and thereby create conditions that could lead to accidents. The Federal Highway Administration has monitored the issue closely, and recently released its report updating the agency’s view of the issues and research. The report is entitled: “The Effects of Commercial Electronic Variable Message Signs (CEVMS) on Driver Attention and Distraction: An Update.” [FHWA Report 2009]

The FHWA Report addressed the basic research question of whether operation of a CEVMS along the roadway is associated with a reduction of driving safety for the public. The report identified three fundamental methods for answering this question: (1) whether there is an

increase in crash rates in the vicinity of CEVMS, (2) whether there is an increase in near-crashes, sudden braking, sharp swerving and other such behaviors in the vicinity of CEVMS, and (3) whether there are excessive eye glances away from the roadway in the vicinity of CEVMS.

The report discusses existing literature and reports of studies, key factors and measures relating to CEVMS and effects on traffic, and recommends a study approach. An extensive bibliography is included in the report. The report does not purport to provide guidance to states on the Control of CEVMS. The report confirmed that there have been no definitive conclusions about the presence or strength of adverse safety impacts from CEVMS. Similarly, a study performed under the National Cooperative Highway Research Program (NCHRP), Project 20-7 (256) entitled "Safety Impacts of the Emerging Digital Display Technology for Outdoor Advertising Signs" (NCHRP Report) reviewed existing literature. Both reports agreed that digital billboards should be regulated as a means of protecting the public interest.

Conducting a study to isolate attention to a digital billboard, and to measure and analyze the effects of such attention, is difficult. Not only are roadway conditions unique for each sign location, but there are also a variety of other factors that may contribute to driver inattention, including other roadway signage (including official signage), and other driver activities (such as tuning the radio, talking on the phone, smoking, talking to other passengers).

Various restrictions have been identified in reports that relate to the location and operation of digital billboards that seek to reduce safety concerns. These relate to brightness, message duration and message change interval, billboard location with regard to official traffic control devices, roadway geometry, vehicle maneuver requirements at interchanges (i.e., lane drops, merges and diverges), and with regard to the specific constraints that should be placed on the placement and operation of such signs. Regulation of operations could include, for example, the time any single message may be displayed, the time of message transition, brightness of the sign and controls that adjust brightness based on the ambient light environment, and design and placement that ensures that the sign does not confuse drivers, or create dangerous glare.

Restrictions on digital billboards contained within the Outdoor Advertising Act and enforced by Caltrans regulate many of the conditions that have been identified as relevant to traffic safety. Caltrans regulates the location of each proposed digital billboard through its application process, and the distance between such signs is also regulated. California statutory provisions regulate brightness of displays. Future lease and operating agreements executed by the City with selected vendors would regulate the message display time, message interval, and sign dimensions. Through local and state law, such signage would be prohibited from displaying flashing lights, flashing images, or moving images.

Any future digital billboard constructed and operated must comply with restrictions regarding location, intensity of light, light trespass, or other restrictions, especially those enforced by the California Department of Transportation (Caltrans) pursuant to its authority under the agreements between the U.S. Department of Transportation under the Highway Beautification Act, and the Outdoor Advertising Act. Compliance with existing federal regulations, state law, and City code will ensure that effects to transportation and traffic would be less than significant.

The proposed digital billboards would be located outside travelled portions of the roadway, and would present no obstacles to emergency access. The signs would have the capacity to display official messages regarding emergencies, and could perform as part of the emergency response system, thus resulting in beneficial impacts. Therefore, the Project would have no impact with regard to inadequate emergency access.

Any future digital billboard sign will be required to comply with the most restrictive regulations.

### ***Public Review of Environmental Document***

The Proposed Negative Declaration was circulated for public review, both locally and through the State Clearinghouse process, for a period of at least 30 days (February 2 through March 6, 2012). The Negative Declaration and Initial Study were posted on the City's website at [www.ci.colfax.us.ca](http://www.ci.colfax.us.ca). As of the date of this Staff Report (March 7), the City had received no comments (other than "no impact") from reviewing local and state agencies. Comments received from the public include the following:

1. David Gard, Winner Chevrolet – Objects to the City-owned property criteria
2. Scott Bigley (non-resident) via on-line comment in the Colfax Record – Concerned about more billboards
3. Frank Nann (non-resident) via oral comment to Councilperson – Colfax has a reputation for too many signs now in the short segment of I-80
4. Susan Johnson, M.D. via written comment – billboards take away from the community's beauty, uniqueness and character; safety issues on I-80; City is adding billboards when it should be removing billboards

None of the above comments affect the substantive issues addressed in the environmental document, so recirculation for public review is not required. The Ordinance only permits the installation of a new digital billboard sign as a replacement for an already existing traditional billboard sign.

The Planning Commission must make the following findings under CEQA in its adoptive action:

- The Negative Declaration has been completed in compliance with CEQA;
- Based on the record (including the Initial Study and comments received), there is no substantial evidence that the project will have a significant effect on the environment; and
- The Negative Declaration reflects the City's independent judgment and analysis.

CEQA also requires the lead agency to specify the location and custodian of the documents and other materials which constitute the record of proceedings upon which its decision is based. The custodian and location of these documents for the project is:

Planning Director  
City of Colfax Planning Department  
33 S. Main Street  
Colfax, CA 95713

**RECOMMENDED FINDINGS:**

Staff recommends the Commission make the following findings with regard to Certifying and Adopting the Negative Declaration for the Project:

1. Adopt the following findings relative to the environmental review of the project:
  - The Negative Declaration has been completed in compliance with CEQA;
  - Based on the record (including the Initial Study and comments received), there is no substantial evidence that the project will have a significant effect on the environment; and
  - The Negative Declaration reflects the City's independent judgment and analysis.

ALL PLANNING COMMISSION DECISIONS MAY BE APPEALED TO THE CITY COUNCIL WITHIN 10 DAYS. CONTACT CITY HALL FOR APPLICATION AND FILING FEE INFORMATION.

**Attachments:**

1. Ordinance with Track-Changes Showing Modifications Since First Public Hearing
2. Photos – Existing Conditions
3. Marketing Materials – Representative Examples of Digital Billboard Signs Sizes
4. Negative Declaration
5. Resolution

## ORDINANCE 516

### AN ORDINANCE OF THE CITY OF COLFAX ADDING SECTION 17.112.175 TO CHAPTER 17.112 OF TITLE 17 OF THE COLFAX MUNICIPAL CODE ALLOWING DIGITAL BILLBOARD SIGNS ON CITY-OWNED PROPERTY

**17.112.175 Digital Billboard Signs on City-owned Property.** For purposes of this section, (1) a “digital billboard sign” means and refers to an advertising structure (as that term is defined in the California Outdoor Advertising Act - Business & Professions Code, Division 3, Chapter 2) that uses digital-display technology; and (2) “City-owned property” means and refers to any property in which the City is the owner of the majority of the fee title interest, as well as property in which the City has a leasehold, easement, license or other possessory interest.

A. Notwithstanding any provision of this Title to the contrary, the City, on such terms as the planning director may approve in his or her discretion, may: construct, repair, replace and maintain; cause the construction, repair, replacement and/or maintenance of; or issue a permit for the construction, repair, replacement and/or maintenance of, digital billboard signs within City-owned property and visible from Interstate Highway 80 and/or State Highway 174, subject to subsections A.1. through A.5, below. Such terms may include utilizing a relocation agreement, which would allow the removal of a display and construction of a new display to substitute for the display that is removed. A digital billboard sign may be electronic, programmable and/or illuminated and provide for “off-site” advertising (as that term is defined in this Chapter). The total number of billboard signs in the City, whether digital or not, may not exceed the number of billboard signs in the City at the time the Digital Billboard Sign Ordinance is adopted, without further action of the City Council.

1. The City-owned property must be located in a commercial or industrial zone as of the date a permit for a digital billboard sign is issued.

2. All digital-display faces must be oriented primarily for viewing from the freeway or highway to which it is adjacent.

3. Notwithstanding any provision to the contrary in this Title, the maximum height of a digital billboard sign, measured from grade to the top of the digital-display face, is 45 feet; and the overall maximum height, measured from grade to the top of the billboard structure, is 50 feet. The planning director may, upon a showing of good cause supported by substantial evidence in the record, grant a variance on the maximum height restriction.

4. Notwithstanding any provision to the contrary in this Title, a digital billboard sign may have either one or two display faces. If the digital billboard sign is located on Interstate Highway 80, and the maximum area of a display face is twelve hundred (1,200) square feet, the maximum height of the display face is 25 feet and the maximum length of the display face is 60 feet. If the digital billboard sign is located on State Highway 174, the maximum area of a display face is ( ) square feet and it can only be placed in the following locations: (a) the intersection of State Highway 174 and Central Street; and (b) approximately 200 feet to the West from said intersection, where State Highway 174 curves to the North at South Star Avenue. Any digital billboard sign located on State Highway 174 in location (b) above must also be visible from Interstate Highway 80.

5. A digital billboard sign may display only a still image in each of its display messages. This means that the still image being displayed may not move or present the appearance of motion and may not use flashing, blinking, or traveling lights or any other means

not providing constant illumination (except that part necessary to give public service information such as time, date, temperature, weather, or similar information). The digital billboard sign must expose each message display for not less than four seconds, unless a greater amount of time is set forth as a recommendation in the most recent guidance document issued by the Federal Highway Administration on the subject of changeable electronic variable message signs; in such case, the minimum FHWA standard shall apply. The transition or blank screen time between one display message and the next may not exceed one second, nor shall this transition time be construed as a failure to comply with the constant illumination requirement set forth above.

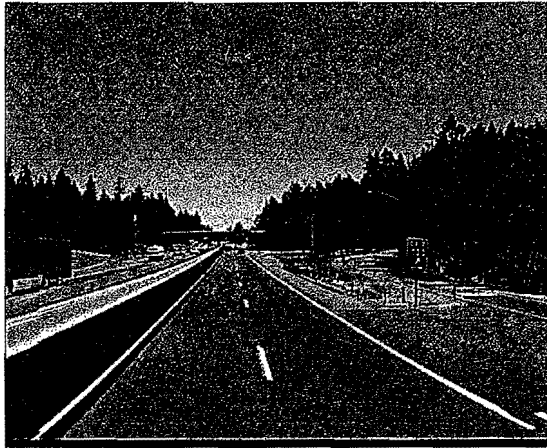
B. Notwithstanding any provision of this Title to the contrary, an existing sign that is removed and/or relocated in the implementation or exercise of subsection A, above, may include either a legal conforming sign or a legal nonconforming sign; such status shall be determined by the planning director. Any sign approved for relocation must be removed prior to construction or installation of the digital billboard sign that will replace it.

C. In addition to complying with the other requirements of this Section, a digital billboard sign must also comply with the requirements of the California Outdoor Advertising Act, Chapter 2 in Division 3 of the California Business and Professions Code ("Act"), including but not limited to, the restrictions on size, height, intermittent flashing lights, proximity to interstate and primary highways and landscaped freeways, and other regulations set forth in Articles 7 and 8 of the Act. To the extent a conflict arises between this section and the Act, the Act will prevail, except for the FHWA recommendation referenced in subsection A.5., above.

D. Findings for Approval of a Digital Billboard Sign or Relocation Agreement. A digital billboard sign or relocation agreement may be approved if the planning director makes the following findings:

1. The digital billboard sign or relocation agreement substantially complies with the purpose and requirements of this section;
2. The digital billboard sign or relocation agreement will not interfere with onsite access or circulation or significantly interfere with visibility.

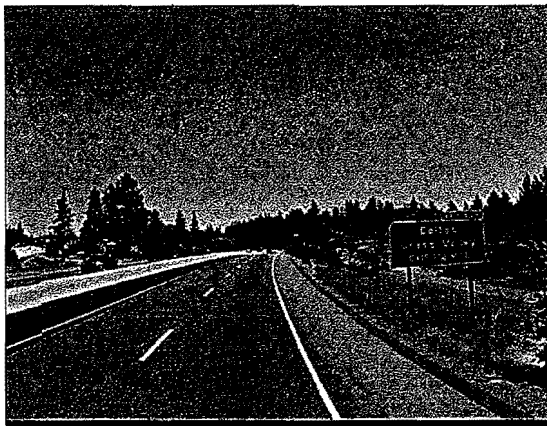
FIGURE 1 – EXISTING CONDITIONS – EASTBOUND I-80



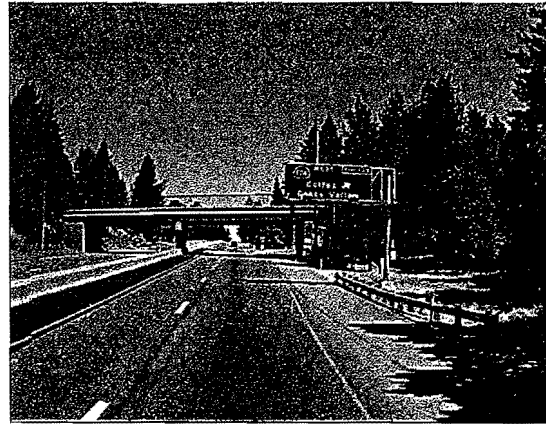
EB I-80 at Canyon Way Exit



EB I-80 between Canyon Way and  
Main Colfax/SR 174 Exit (135)



EB I-80 approaching Main Colfax/SR 174



EB I-80 at Main Colfax/SR 174 Exit (135)

FIGURE 2 – EXISTING CONDITIONS – WESTBOUND I-80



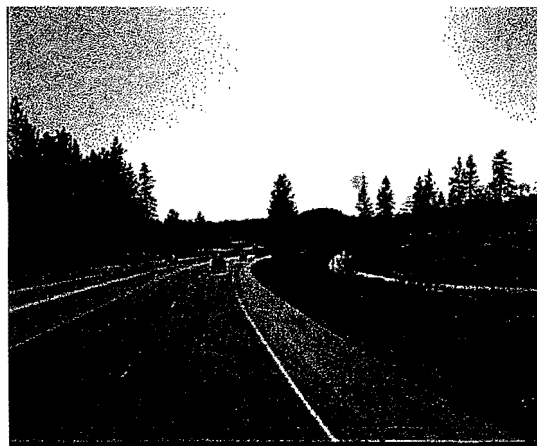
WB I-80 approaching Main Colfax/SR 174 Exit (135)



WB I-80 at Main Colfax/SR 174 Exit (135)



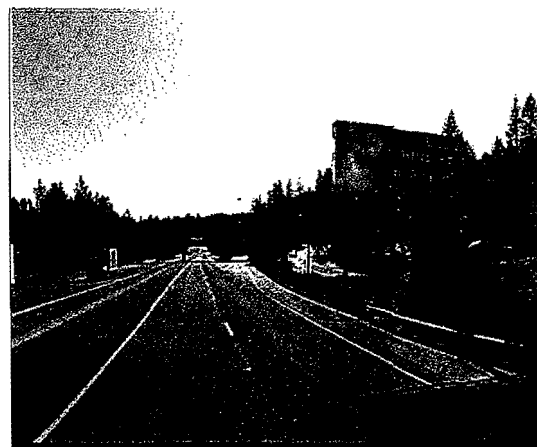
WB I-80 between Main Colfax/SR 174 Exit (135) and Canyon Way Exit



WB I-80 between Main Colfax/SR 174 Exit (135) and Canyon Way Exit



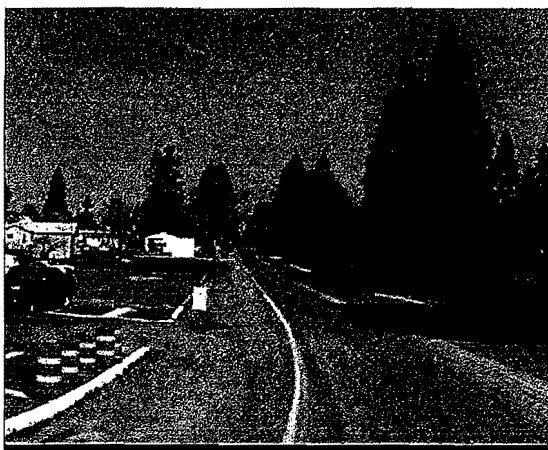
WB I-80 approaching Canyon Way Exit



WB I-80 at Canyon Way Exit



FIGURE 3 – EXISTING CONDITIONS – NORTH AND SOUTHBOUND SR 174



Northbound SR 174



Southbound SR 174

# SACRAMENTO

## DIGITAL



## LOCATION

Located in the heart of Sacramento on the busiest section of Business 1-80 between Downtown and Cal Expo. Cal Expo is home of the California State Fair and a host to several major trade shows, exhibitions, and events throughout the year. This board reaches Arden Fair mall shoppers as well as commuters traveling from the Bay Area, Elk Grove, Roseville, Rocklin, Reno & North Lake Tahoe.

## ADROTATION

#8 Advertisers  
:08 Second Duration  
Resolution: 200H x 400W Pixels  
300 dpi  
File Format: Jpeg or Bitmap  
Illuminated: 24 hours



### 00918C/00918D

Bus. 80 (Capital City Fwy), 1100 ft  
S/O Exposition Blvd. E/S F/N

20' x 60'



**CBS**  
OUTDOOR

# DIGITAL



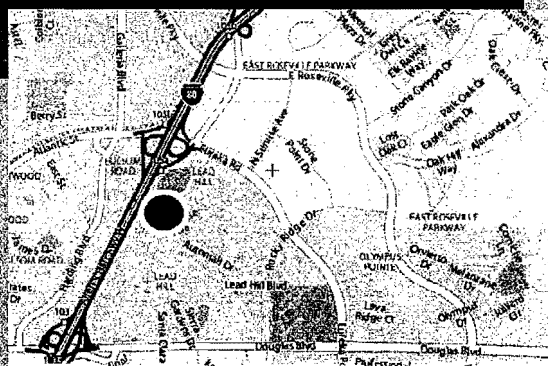
**#8 Advertisers**  
**:08 Second Duration**  
**Resolution: 200H x 400W Pixels**  
**300 dpi**  
**File Format: Jpeg or Bitmap**  
**Illuminated: 24 hours**



999001/999002

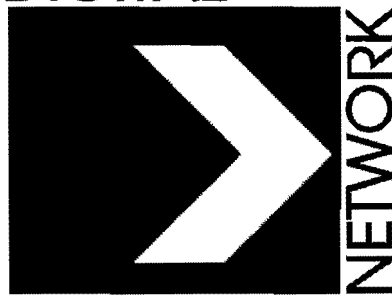
S/S I-80 .5 Miles W/O Eureka Rd.  
Exit F/E & F/W

18'x34



SACRAMENTO

DIGITAL



LOCATION

Located at the Folsom Automall, on Hwy 50 and the Folsom Blvd exit, this LED digital sign is located at a premium, highly trafficked location. The Eastbound direction leads to historic Folsom, along with one of the fastest growing areas in the Sacramento market, El Dorado Hills. The location also provides the highly traveled route to South Lake Tahoe and the Sierra Nevada Mountains. The Westbound direction serves the heavy commute to Sacramento each day, as well as the strong tourist travel from Tahoe to Sacramento and the Bay Area.

ADROTATION

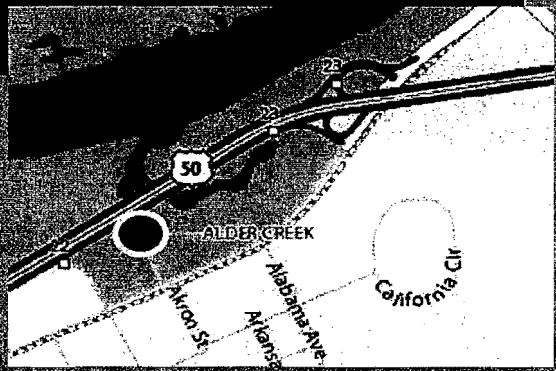
#8 Advertisers  
:08 Second Duration  
Resolution: 240H x 362W Pixels  
300 dpi  
File Format: Jpeg or Bitmap  
Illuminated: 24 hours



998001/998002

S/S Hwy 50 5 Miles W/O Folsom Blvd Exit F/E & F/W

20' x 29'



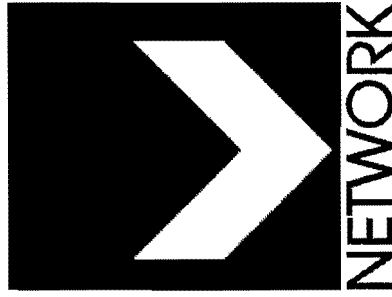
Full connectstream RealTime data





SACRAMENTO

DIGITAL



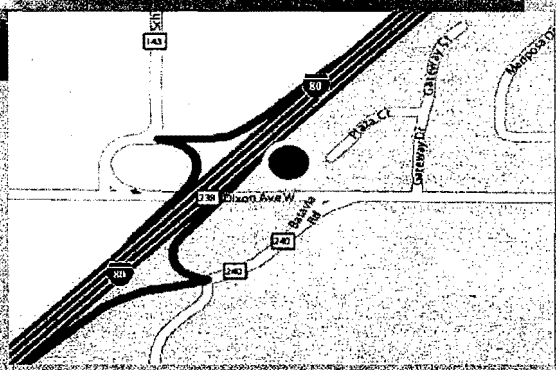
LOCATION

This brand new, state-of-the-art, full color, 12'h x 25'w digital display is located on the south side of I-80 in Dixon, CA, located approximately 9 miles west of Davis, CA and approximately 12 miles east of Vacaville, CA.

997001/997002

S/S I-80 .1 Mile E/O A Street F/E & F/W

12'x25'



ADROTATION

#8 Advertisers  
:08 Second Duration  
Resolution: 144H x 300W Pixels  
300 dpi  
File Format: Jpeg or Bitmap  
Illuminated: 24 hours



SACRAMENTO

CREATIVE



SPECS

## LED DISPLAY SIZE

12' X 25' Display Resolution

20' X 29' Display Resolution

18' X 34' Display Resolution

20' X 60' Display Resolution

## ARTWORK SIZE

Height x Width

180 x 375 pixels

300 x 435 pixels

270 x 510 pixels

304 x 912 pixels

## FILE REQUIREMENTS

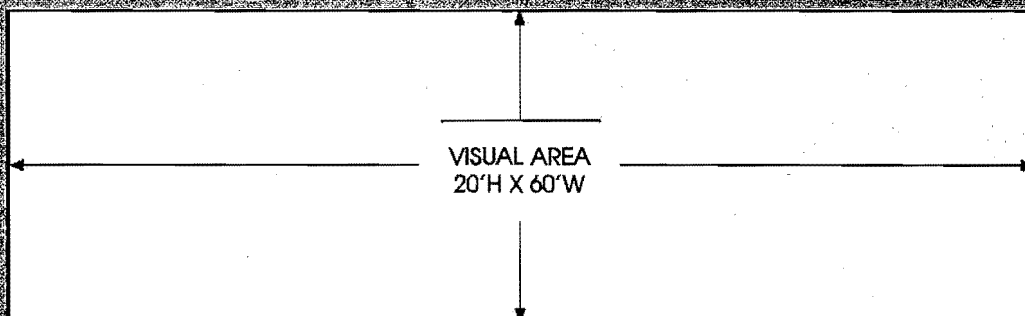
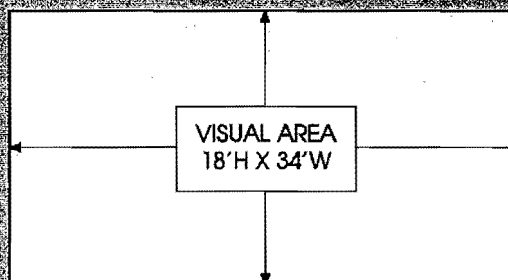
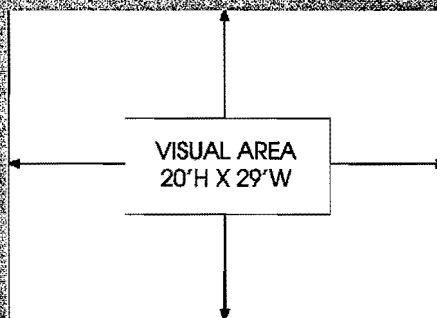
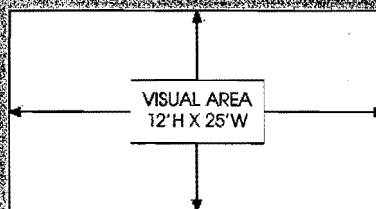
Correct preparation of digital files is critical for timely production of product.

Color Space: RGB, 8 bits/channel

Image DPI: 72 dpi

Acceptable Files: Jpeg or Bitmap

(.jpg) (.bmp)



**CBS**  
OUTDOOR

**Location # 005021      Sacramento**

**I-80 0.35 mi E/O Northgate Blvd NS**

**City: Sacramento    Zip: 95814**

**Facing: East**

**Size: 14' x 48'**

**Total EOI**    Please contact your CCO Rep for current data.

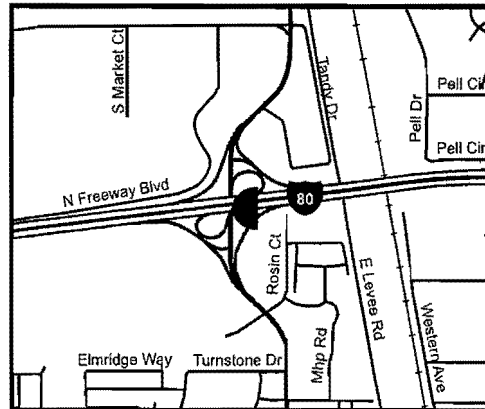
**DEC**    (Daily Effective Circulation): 102\*

(\* Numbers in thousands)

This bulletin is part of Clear Channel's Digital Outdoor Network.

Situated on I-80 between I-5 and Bus 80 connector. Known as the "top of town" connector, this stretch of I-80 is completely void of any other OOH.

Area surrounding this structure is home to numerous business and commercial developments. Display fills a 14 mi gap where no other OOH exists.



Latitude: 38.64055    Longitude: -121.4769



© Clear Channel Outdoor

**Location # 005025      Sacramento**

**Bus 80 0.18 mi E/O Fulton Ave NS**

**City: Sacramento    Zip: 95814**

**Facing: East**

**Size: 14' x 48'**

**Total EOI**    Please contact your CCO Rep for current data.

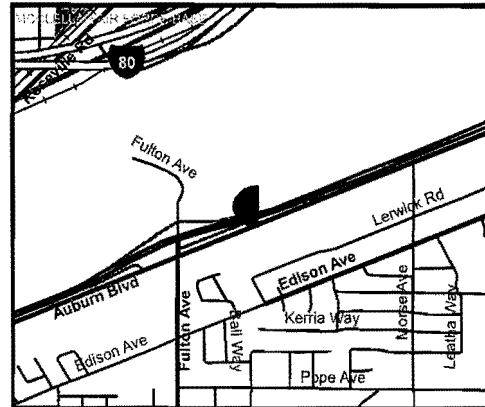
**DEC**    (Daily Effective Circulation): 105.9\*

(\* Numbers in thousands)

This bulletin is part of Clear Channel's Digital Outdoor Network.

Located just E/O Downtown and running through the Arden shopping district, no artery in Sacramento rivals the reach achieved on this stretch of Frwy.

Business 80 also flanks the Cal Expo grounds where each year more than 1.3 million people visit during the California State Fair.



Latitude: 38.63199    Longitude: -121.3985



© Clear Channel Outdoor



**Location # 005016 Sacramento**

**Airport Frwy I-5 0.2 mi S/O Richards Blvd WS**

**City: Sacramento Zip: 95814**

**Facing: South**

**Size: 14' x 48'**

**Total EOI** Please contact your CCO Rep for current data.

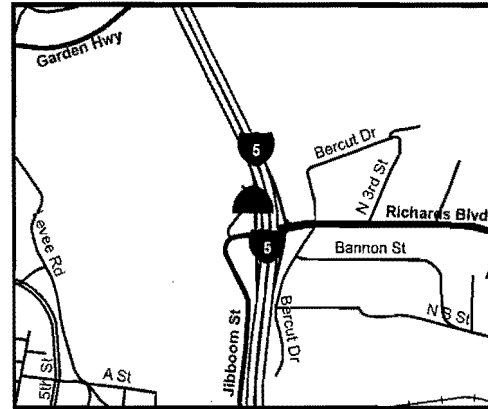
**DEC** (Daily Effective Circulation): 140.6\*

(\* Numbers in thousands)

This bulletin is part of Clear Channel's Digital Outdoor Network.

Digital display is the only OOH option on I-5 in the Sacramento city limits. Located near downtown and just minutes to SAC International Airport.

This unit serves as the only way to target business travelers, Arco Arena traffic and the growing suburb of Natomas.



Latitude: 38.59793 Longitude: -121.5046



© Clear Channel Outdoor

**Location # 005020      Sacramento**

**I-80 0.35 mi E/O Nortgate Blvd NS**

**City: Sacramento    Zip: 95814**

**Facing: West**

**Size: 14' x 48'**

**Total EOI**    Please contact your CCO Rep for current data.

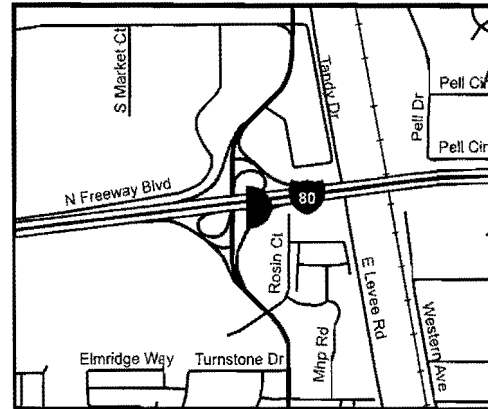
**DEC**    (Daily Effective Circulation): 102\*

(\* Numbers in thousands)

This bulletin is part of Clear Channel's Digital Outdoor Network.

Situated on I-80 between I-5 and Bus 80 connector. Known as the "top of town" connector, this stretch of I-80 is completely void of any other OOH.

Area surrounding this structure is home to numerous business and commercial developments. Display fills a 14 mi gap where no other OOH exists.



Latitude: 38.64055    Longitude: -121.4769



© Clear Channel Outdoor

## **CITY OF COLFAX**

### **NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

FEBRUARY 2, 2012

**NOTICE IS HEREBY GIVEN** pursuant to California Public Resources Code Section 21092 and CEQA Guidelines Section 15072 that the City of Colfax has prepared and proposes to adopt a Negative Declaration in connection with the project described in this notice.

**PROJECT TITLE:** Digital Billboard Sign Ordinance (#PL-01-12)

**PROJECT LOCATION:** Citywide ordinance amendment, Colfax, Placer County, California

**PROJECT DESCRIPTION:** #PL-01-12/Sign Ordinance Amendment to Allow Digital Billboard Signs on City-Owned Property as defined in the Amendment. The project proposes to amend the Colfax Sign Ordinance (Colfax Municipal Code Title 17) to allow one or more digital billboard signs, each with two displays, to be constructed and operated on City-owned property along Interstate Highway 80 and State Route 174 within the Colfax corporate boundaries, provided such locations are approved by CalTrans. Approval of the Digital Billboard Sign Ordinance would not permit the immediate construction or operation of digital billboard signs. If approved, the City intends to allow the construction, maintenance and operation of digital billboard signs on City-owned property adjacent to freeways pursuant to a relocation agreement, or on such other terms that are acceptable to the City. The Digital Billboard Sign Ordinance requires that the total number of billboard signs in the City, whether digital or not, may not exceed the number of billboard signs existing in the City at the time the Digital Billboard Sign Ordinance is adopted, without further action of the City Council. The locations for the digital billboard signs will be limited to areas with commercial or industrial zoning, away from residential or other sensitive land uses, and within 660 feet of freeway or highway right-of-way.

A copy of the draft Negative Declaration will be available for review at the City of Colfax Planning Department located at 33 S. Main Street, Colfax, CA 95713 during normal public business hours. It is also accessible to the public by visiting [www.ci.colfax.ca.us](http://www.ci.colfax.ca.us) under the page "Reports & Documents."

Written Comments on the Negative Declaration must be addressed to the City of Colfax Planning Department, P.O. Box 702, Colfax, CA 95713. The 30-day public review period shall run between February 2, 2012 and March 6, 2012. All comments must be received by 5:00 p.m. on March 6, 2012.

The Public Hearings on this project are anticipated to be held on February 22, 2012 (First Reading of the Ordinance) and March 14, 2012 (Second Reading of the Ordinance) at 7:00 p.m. at City Hall, located at 33 S. Main Street, Colfax, CA.

**Contact:** City of Colfax Planning Department (530) 346-2313

## **CITY OF COLFAX**

### **PROPOSED NEGATIVE DECLARATION**

In accordance with the California Environmental Quality Act, the City of Colfax has conducted an Initial Study to determine whether the following project may have a significant adverse effect on the environment. On the basis of that study, the City finds that the proposed project will not have a significant adverse effect on the environment and will not require the preparation of an Environmental Impact Report. Therefore, this Negative Declaration has been prepared.

**LEAD AGENCY:** City of Colfax  
33 S. Main Street  
Colfax, CA 95713

Contact: Planning Department (530) 346-2313

**PROJECT APPLICANT:** City of Colfax  
33 S. Main Street  
Colfax, CA 95713

Contact: Planning Department (530) 346-2313

**PROJECT LOCATION:** Citywide ordinance amendment, Colfax, Placer County, California

**PROJECT DESCRIPTION:** #PL-01-12/Sign Ordinance Amendment to Allow Digital Billboard Signs on City-Owned Property as defined in the Amendment. The project proposes to amend the Colfax Sign Ordinance (Colfax Municipal Code Title 17) to allow one or more digital billboard signs, each with two displays, to be constructed and operated on City-owned property along Interstate Highway 80 and State Route 174 within the Colfax corporate boundaries, provided such locations are approved by CalTrans. Approval of the Digital Billboard Sign Ordinance would not permit the immediate construction or operation of digital billboard signs. If approved, the City intends to allow the construction, maintenance and operation of digital billboard signs on City-owned property adjacent to freeways pursuant to a relocation agreement, or on such other terms that are acceptable to the City. The Digital Billboard Sign Ordinance requires that the total number of billboard signs in the City, whether digital or not, may not exceed the number of billboard signs existing in the City at the time the Digital Billboard Sign Ordinance is adopted, without further action of the City Council. The locations for the digital billboard signs will be limited to areas with commercial or industrial zoning, away from residential or other sensitive land uses, and within 660 feet of freeway or highway right-of-way.

**REVIEW PERIOD:** February 2, 2012 to March 6, 2012

# CITY OF COLFAX

## ENVIRONMENTAL CHECKLIST (INITIAL STUDY) FORM

1. **File No:** #PL-01-12/Sign Ordinance Amendment to Allow Digital Billboard Signs on City-Owned Property as defined in the Amendment.
2. **Lead Agency name and address:** City of Colfax, Planning Department, 33 South Main Street, Colfax, CA 95713
3. **Property Owner:** City of Colfax
4. **Project Applicant:** City of Colfax, Planning Department, 33 South Main Street, Colfax, CA 95713
5. **Project location:** Citywide ordinance amendment, Colfax, Placer County, California
6. **Description of project:** The project proposes to amend the Colfax Sign Ordinance (Colfax Municipal Code Title 17) to allow one or more digital billboard signs, each with two displays, to be constructed and operated on City-owned property along Interstate Highway 80 and State Route 174 within the Colfax corporate boundaries, provided such locations are approved by CalTrans. Approval of the Digital Billboard Sign Ordinance would not permit the immediate construction or operation of digital billboard signs. If approved, the City intends to allow the construction, maintenance and operation of digital billboard signs on City-owned property adjacent to freeways pursuant to a relocation agreement, or on such other terms that are acceptable to the City. The Digital Billboard Sign Ordinance requires that the total number of billboard signs in the City, whether digital or not, may not exceed the number of billboard signs existing in the City at the time the Digital Billboard Sign Ordinance is adopted, without further action of the City Council. The locations for the digital billboard signs will be limited to areas with commercial or industrial zoning, away from residential or other sensitive land uses, and within 660 feet of freeway or highway right-of-way. Environmental review would be required to approve specific locations and design plans, as well as lease and relocation agreements. The purpose of this Initial Study is to identify potential environmental impacts at a programmatic level along the identified freeway and highway corridors.

**REFERENCES:** The following references were used in preparing this report. The reference material is available for review upon request from the Colfax Planning Department at 33 South Main Street, Colfax, CA (530-346-2313).

- 1.
2. Colfax General Plan 2020
3. Colfax Zoning Ordinance, Title 17 and amendments thereto
4. Federal Emergency Management Agency Map No. 06061C0125F
5. California Department of Conservation Important Farmland Map for Placer County, 2008
6. Official Maps, California Department of Conservation Geological Survey, December 2010 (Earthquake Fault Zones)
7. National Register of Historic Places/State Historic Preservation Office
8. DTSC, 2011, List of Hazardous Material Clean-up Sites
9. California Air Resources Board website resources
10. Placer County Air Pollution Control District website resources
11. Caltrans Outdoor Advertising Act
12. Federal Highway Beautification Act
13. DTSC Hazardous Site List
14. USGS, Mineral Resources Spatial Data, December 2011

### ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

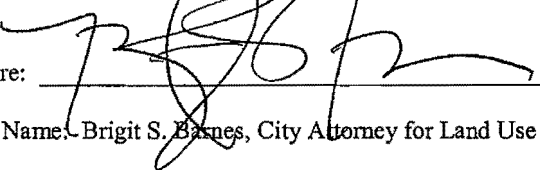
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages:

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Aesthetics               | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality             |
| <input type="checkbox"/> Biological Resources     | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology/Soils           |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials      | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning        | <input type="checkbox"/> Mineral Resources                  | <input type="checkbox"/> Noise                   |

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Population/Housing     | <input type="checkbox"/> Public Services           | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

**DETERMINATION:** On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on the attached sheet have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a significant effect (s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature:  Date: January 30, 2012

Printed Name: Brigit S. Barnes, City Attorney for Land Use For City of Colfax

## EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a) The significance criteria or threshold, if any, used to evaluate each question; and
  - b) The mitigation measure identified, if any, to reduce the impact to less than significant.

## PROJECT DESCRIPTION:

The project proposes to amend the Colfax Sign Ordinance (Colfax Municipal Code Title 17) to allow one or more digital billboard signs, each with two displays, to be constructed and operated on City-owned property along Interstate Highway 80 and State Route 174 within the Colfax corporate boundaries, provided such locations are approved by CalTrans. Approval of the Digital Billboard Sign Ordinance would not permit the immediate construction or operation of digital billboard signs. If approved, the City intends to allow the construction, maintenance and operation of digital billboard signs on City-owned property adjacent to freeways pursuant to a relocation agreement, or on such other terms that are acceptable to the City. The Digital Billboard Sign Ordinance requires that the total number of billboard signs in the City, whether digital or not, may not exceed the number of billboard signs existing in the City at the time the Digital Billboard Sign Ordinance is adopted, without further action of the City Council. The locations for the digital billboard signs will be limited to areas with commercial or industrial zoning, away from residential or other sensitive land uses, and within 660 feet of freeway or highway right-of-way. Environmental review would be required to approve specific locations and design plans, as well as lease and relocation agreements. The purpose of this Initial Study is to identify potential environmental impacts at a programmatic level along the identified freeway and highway corridors.

Specifically, the amendment would add Chapter 17.112.175 to the Colfax Municipal Code as follows:

**17.112.175 Digital Billboard Signs on City-owned Property.** For purposes of this section, (1) a “digital billboard sign” means and refers to an advertising structure (as that term is defined in the California Outdoor Advertising Act - Business & Professions Code, Division 3, Chapter 2) that uses digital-display technology; and (2) “City-owned property” means and refers to any property in which the City is the owner of the majority of the fee title interest, as well as property in which the City has a leasehold, easement, license or other possessory interest.

A. Notwithstanding any provision of this Title to the contrary, the City, on such terms as the planning director may approve in his or her discretion, may: construct, repair, replace and maintain; cause the construction, repair, replacement and/or maintenance of; or issue a permit for the construction, repair, replacement and/or maintenance of, digital billboard signs within City-owned property and visible from Interstate Highway 80 and/or State Highway 174, subject to subsections A.1. through A.5, below. Such terms may include utilizing a relocation agreement, which would allow the removal of a display and construction of a new display to substitute for the display that is removed. A digital billboard sign may be electronic, programmable and/or illuminated and provide for “off-site” advertising (as that term is defined in this Chapter). The total number of billboard signs in the City, whether digital or not, may not exceed the number of billboard signs existing in the City at the time the Digital Billboard Sign Ordinance is adopted, without further action of the City Council.

1. The City-owned property must be located in a commercial or industrial zone as of the date a permit for a digital billboard sign is issued.

2. All digital-display faces must be oriented primarily for viewing from the freeway or highway to which it is adjacent.

3. Notwithstanding any provision to the contrary in this Title, the maximum height of a digital billboard sign, measured from grade to the top of the digital-display face, is 45 feet; and the overall maximum height, measured from grade to the top of the billboard structure, is 50 feet. The planning director may, upon a showing of good cause supported by substantial evidence in the record, grant a variance on the maximum height restriction.

4. Notwithstanding any provision to the contrary in this Title, a digital billboard sign may have either one or two display faces, and the maximum area of a display face is twelve hundred (1,200) square feet. The maximum height of the display face is 25 feet and maximum length of the display face is 60 feet.

5. A digital billboard sign may display only a still image in each of its display messages. This means that the still image being displayed may not move or present the appearance of motion and may not use flashing, blinking, or traveling lights or any other means not providing constant illumination (except that part necessary to give public service information such as time, date, temperature, weather, or similar information). The digital billboard sign must expose each message display for not less than four seconds, unless a greater amount of time is set forth as a recommendation in the most recent guidance document issued by the Federal Highway Administration on the subject of changeable electronic variable message signs; in such case, the minimum FHWA standard shall apply. The transition or blank screen time between one display message and the next may not exceed one second, nor shall this transition time be construed as a



failure to comply with the constant illumination requirement set forth above.

B. Notwithstanding any provision of this Title to the contrary, an existing sign that is removed and/or relocated in the implementation or exercise of subsection A, above, may include either a legal conforming sign or a legal nonconforming sign; such status shall be determined by the planning director. Any sign approved for relocation must be removed prior to construction or installation of the digital billboard sign that will replace it.

C. In addition to complying with the other requirements of this Section, a digital billboard sign must also comply with the requirements of the California Outdoor Advertising Act, Chapter 2 in Division 3 of the California Business and Professions Code ("Act"), including but not limited to, the restrictions on size, height, intermittent flashing lights, proximity to interstate and primary highways and landscaped freeways, and other regulations set forth in Articles 7 and 8 of the Act. To the extent a conflict arises between this section and the Act, the Act will prevail, except for the FHWA recommendation referenced in subsection A.5., above.

D. Findings for Approval of a Digital Billboard Sign or Relocation Agreement. A digital billboard sign or relocation agreement may be approved if the planning director makes the following findings:

1. The digital billboard sign or relocation agreement substantially complies with the purpose and requirements of this section;
2. The digital billboard sign or relocation agreement will not interfere with onsite access or circulation or significantly interfere with visibility.

## EXISTING CONDITIONS:

### Interstate Highway 80

The I-80 corridor bisects the city from southwest to northeast and traverses various land use types, including residential, commercial, and industrial uses. The visual landscape of the I-80 corridor through Colfax is defined by various legal conforming and non-conforming on-premise signs, structures of varying age and states of repair, high-voltage power line towers, natural forest and native vegetation. Through most of Colfax, Canyon Way (East side) and South Auburn Street or SR 174 (West side) run perpendicular to I-80. See Figures 1, 2 and 3 for photos of existing conditions. In addition, there are ten (10) existing legal non-conforming billboards (non-electronic) located in the corridor.

### State Highway 174

Highway 174 provides access into the City's highway commercial zone along the I-80 corridor and access to neighboring communities such as Grass Valley and Nevada City, and acts as a link between Highway 20 and Interstate 80. The visual landscape of the Highway 174 corridor is defined primarily by residential and commercial uses. No billboards presently exist along the Highway 174 corridor.

## REGULATORY SETTING:

### Federal

The federal Highway Beautification Act of 1965 (23 U.S.C. 131) provides for control of outdoor advertising, including removal of certain types of signs, along the interstate highway system. It requires certain junkyards along Interstate or primary highways to be removed or screened and encourages scenic enhancement and roadside development. The Act is enforced by the Federal Highway Administration (FHWA). As part of its encroachment effort, the FHWA has entered into agreements regarding the Act with state departments of transportation. The agreements with California are described under the State provisions, below.

### State

The California Department of Transportation (CalTrans) is involved in the control of "off-premise" displays along state highways. Such displays advertise products or services of business located on property other than the display. CalTrans does not regulate on-premise displays.

The Federal Highway Administration has entered into written agreements with various states as part of the implementation of the Highway Beautification Act. The City is informed that California has entered into two such agreements: one dated May 29, 1965, and a subsequent agreement dated February 15, 1968. The agreements generally provide that the State will control the construction of all outdoor advertising signs, displays and devices within 660 feet of the interstate highway right-of-way. The agreements provide that such signs shall be erected only in commercial or industrial zones, and are subject to the following restrictions:

- No signs shall imitate or resemble any official traffic sign, signal or device, nor shall signs obstruct or interfere with official signs;
- No signs shall be erected on rocks or other natural features;
- Signs shall be no larger than 25 feet in height and 60 feet in width, excluding border, trim and supports;
- Signs on the same side of the freeway must be separated by at least 500 feet; and
- Signs shall not include any flashing, intermittent or moving lights, and shall not emit light that could obstruct or impair the vision of any driver.

California regulates outdoor advertising in the Outdoor Advertising Act (Business and Professions Code §5200 et seq.) and the California Code of Regulations, Title 4, Division 6 (§2240 et seq.). CalTrans enforces the law and regulations. CalTrans requires applicants for new outdoor lighting to demonstrate that the owner of the parcel consents to the placement sign, that the parcel on which the sign would be located is zoned commercial or industrial and that local building permits are obtained and complied with. A digital billboard is identified as a "message center" in the statute, which is an advertising display where the message is changed more than once every two minutes, but no more than once every four seconds. (Business and Professions Code §5216.4).

Some freeways are classified as "landscaped freeways." A landscaped freeway is defined as one that is now, or may in the future be, improved by the planting of lawns, trees, shrubs, flowers or other ornamental vegetation requiring reasonable maintenance on one or both sides of the freeway (§5216). Off-premise displays are not allowed along landscaped freeways except when approved as part of relocation agreements. However, CalTrans has interpreted these provisions as allowing new billboards along such freeway segments if a relocation agreement has been approved pursuant to §5412 of the Outdoor Advertising Act.

The Outdoor Advertising Act contains a number of provisions relating to the construction and operation of billboards:

- The sign must be constructed to withstand a wind pressure of 20 pounds per square feet of exposed surface (§5401);
- No sign shall display any statements or words of an obscene, indecent or immoral character (§5402);
- No sign shall display flashing, intermittent or moving light or lights (§5304(h));
- Signs are restricted from areas within 300 feet of an intersection of highways or of highway and railroad right-of-ways, but a sign may be located at the point of interception, as long as a clear view is allowed for 300 feet, and no sign shall be installed that would prevent a traveler from obtaining a clear view of approaching vehicles for a distance of 500 feet along the highway (§5404); and
- Message center signs may not include any illumination or message change that is in motion or appears to be in motion or that change or expose a message for less than four seconds. No message center sign may be located within 500 feet of an existing billboard, or 1,000 feet of another message center display, on the same side of the highway (§5405).

Additional restrictions on outdoor signage are found in the California Vehicle Code. Vehicle Code §21466.5 prohibits the placing of any light source "...of any color of such brilliance as to impair the vision of drivers upon the highway." Specific standards for measuring light sources are provided. The restrictions may be enforced by CalTrans, the California Highway Patrol, or local authorities.

#### ENVIRONMENTAL ANALYSIS:

The City has determined that an Initial Study shall be prepared in order to determine whether the potential exists for unmitigatable impacts resulting from the proposed project. Where the Initial Study concludes there is no substantial evidence that the project could have a significant effect on the environment, a Negative Declaration is required. If revisions in the project plans or proposals are made or agreed to by the applicant before the CEQA analysis is released for public review that would avoid or mitigate significant adverse environmental impacts, then a Negative Declaration or Mitigated Negative Declaration is still required (§15070). If the Initial Study concludes that there is substantial evidence that a project could have a significant effect on the environment, and mitigation are either unavailable or have not been agreed to by the applicant, then an EIR is required.

ENVIRONMENTAL IMPACTS:		Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
<b>I. AESTHETICS.</b> Would the project:					
a)	Have a substantial adverse effect on a scenic vista?			X	
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d)	Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?			X	

### *Setting*

The City of Colfax is traversed by a freeway and a highway, Interstate 80 and State Route 174. Freeways are typically highways divided by a median, with two or more lanes in each direction of travel. The freeways are lighted by poles and overhead lamps. Existing sources of ambient light and glare along SR 174 and I-80 include residential, retail, commercial, and industrial development. Headlights from motor vehicles contribute to the ambient light conditions. Some segments of I-80 and SR 174 have natural forest and native vegetation. None of the freeway segments within the City have been identified as scenic.

**Impact Discussion (I-a and -b):** The proposed project would amend the Sign Ordinance to allow construction and operation of digital billboard signs on City-owned property along freeway segments within the City of Colfax. None of the freeway segments within the City have been identified as scenic. There are 3 locations in Colfax which are identified and listed on the National Register of Historic Places: the Colfax Freight Depot (7 Main St.), the Colfax Passenger Depot (Main St. and Railroad Ave.) and Stevens Trail (Secret Ravine ridge area). (Note: These locations are not listed on the California State Register of Historic Places.) The Passenger and Freight Depots are not near enough to the state highways that they could be impacted. The trailhead for Stevens Trail starts at Canyon Way near I-80 in the Northeast area of the City. The standards used by CalTrans for enforcing sign brightness under the Outdoor Advertising Act, although imposed for traffic safety reasons, effectively results in controls that ensure that the operation of any digital billboard sign does not create a substantial new source of light or glare. Therefore, these explicit lumens limitations should prevent any significant adverse impacts to Stevens Trail. Based on the foregoing, this impact is considered less than significant.

**Impact Discussion (I-c):** Impacts regarding degradation of existing visual character are expected to be less than significant. The proposed digital billboard signs would be located along a freeway within the City limits, in areas zoned for commercial or industrial uses away from sensitive receptors. See Project Description, above. The ordinance limits the number of billboards, whether digital or not, to the number of existing billboards, as well as potentially allows for the removal of existing billboards via relocation agreements. Relocation agreements identify existing billboards that would be removed as part of the construction and operation of a digital billboard sign. The removal of existing billboards would have a beneficial aesthetic effect. The Planning Director would review the proposed design, and design parameters would be imposed by the City, consistent with the community's aesthetic standard.

**Impact Discussion (I-d):** Future digital billboard signs constructed and operated on City-owned property may contribute to an increase in light and glare to passing motorists on I-80, SR 174, and adjacent properties. The amount of additional light and glare would contribute to already-affected viewsheds. LED billboard technology allows sign brightness to be adjusted automatically depending on ambient lighting and weather conditions.

Any digital billboard sign constructed or operated must first obtain a Department of Transportation Outdoor Advertising Permit from the California Department of Transportation. As a condition of that permit, digital billboard signs will be required to comply with the brightness requirements outlined in the Outdoor Advertising Act in that the illumination thereon shall not be of such brilliance or so positioned as to blind or dazzle the vision of travelers on adjacent highways (Business and Professions Code Section 5403). The standard used by CalTrans for enforcing sign brightness is as follows:

ENVIRONMENTAL IMPACTS:	<i>Potentially Significant Impact</i>	<i>Less than Significant With Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
<p>“The brightness reading of an objectionable light source shall be measured with a 1 1/2-degree photoelectric brightness meter placed at the driver’s point of view. The maximum measured brightness of the light source within 10 degrees from the driver’s normal line of sight shall not be more than 1,000 times the minimum measured brightness in the driver’s field of view, except that when the minimum measured brightness in the field of view is 10 foot-lamberts or less, the measured brightness of the light source in foot-lambert shall not exceed 500 plus 100 times the angle, in degrees, between the driver’s line of sight and the light source” (CVC 21466.5).</p> <p>Although these restrictions have been imposed for traffic safety reasons, the resulting controls effectively regulate light and glare to ensure that the operation of any digital billboard sign does not create a substantial new source of light or glare. Based on the information presented above, the impacts resulting from light and glare are considered less than significant.</p> <p><b>Mitigation Measures:</b> No mitigation measures are necessary.</p>				
<p><b>II. AGRICULTURE AND FOREST RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X

ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
<b>Impact Discussion:</b> a) Digital billboard signs must be located on commercial or industrial-zoned property along the I-80 and SR 174 corridors. Those areas are not mapped as Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland). [California Department of Conservation Important Farmland Map for Placer County, 2008]. Therefore, the project will not result in the conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Importance to non-agricultural use. There is no impact. b) Digital billboard signs must be located on commercial or industrial-zoned property along the I-80 and SR 174 corridors. There are no agricultural-zoned properties located in close proximity to those areas. Those areas are not under a Williamson Act Contract. There is no impact. c) Digital billboard signs must be located on commercial or industrial-zoned property along the I-80 and SR 174 corridors. Those areas are not zoned for forest production or adjacent to land designated to support forestry operations. Therefore, implementation of the ordinance would not conflict with any existing zoning for forestry use. There is no impact. d) Digital billboard signs must be located on commercial or industrial-zoned property along the I-80 and SR 174 corridors. Some forest land occurs naturally on or adjacent to those areas. However, because the project area is located in the highway right-of-way, there are no impacts associated with the loss or conversion of forest land to non-forest use which would result from implementation of the ordinance, per the City's Fire Marshall. [Eicholtz, pers. comm. 2012] Furthermore, because the ordinance limits the total number of billboards, whether digital or not, to the number of existing billboards, as well as potentially allowing removal of existing billboards via relocation agreements, there is no net increase in any impacts. There is no impact. e) Digital billboard signs must be located on commercial or industrial-zoned property along the I-80 and SR 174 corridors. Those areas are not mapped as Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland). [California Department of Conservation Important Farmland Map for Placer County, 2008] Therefore, implementation of the ordinance will not cause any changes in the existing environment that could result in the conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Importance to non-agricultural use. There is no impact. <b>Mitigation Measures:</b> No mitigation measures are necessary.				
<b>III. AIR QUALITY.</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?				X

ENVIRONMENTAL IMPACTS:	<i>Potentially Significant Impact</i>	<i>Less than Significant With Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
<p><b>Setting</b> The proposed project would amend the Sign Ordinance to allow construction and operation of digital billboard signs on City-owned property along I-80 and SR 174 within the City of Colfax. The project area is located within the Mountain Counties Air Basin (MCAB) and is under the jurisdiction of the Placer County Air Pollution Control District. The MCAB is designated as nonattainment for federal and state ozone (O<sub>3</sub>) standards, and nonattainment for the state particulate matter standard (PM<sub>10</sub>).</p> <p>The air quality management agencies of direct importance in Placer County are the U.S. Environmental Protection Agency (USEPA), the California Air Resources Board (ARB), and the Placer County Air Pollution Control District (PCAPCD). The EPA has established national ambient air quality standards (NAAQS) for which the ARB and the PCAPCD have primary implementation responsibility. The ARB and the PCAPCD are also responsible for ensuring that the California ambient air quality standards (CAAQS) are met. PCAPCD manages air quality in the Placer County portion of the MCAB; it has jurisdiction over air quality issues in the county and administers air quality regulations developed at the federal, state, and local levels. It is also responsible for implementing strategies for air quality improvement and recommending mitigation measures for new growth and development. State and federal standards for a variety of pollutants are summarized in <b>Appendix AIR-I</b>.</p> <p><b>Area Pollutants</b> State and federal criteria pollutant emission standards have been established for six pollutants: carbon monoxide (CO), ozone, particulate matter (particulate matter of less than 10 microns in diameter [PM<sub>10</sub>] and particulate matter less than 2.5 microns in diameter [PM<sub>2.5</sub>]), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), and lead. The pollutants of greatest concern in the MCAB are ozone, particulate matter, and CO. Carbon dioxide (CO<sub>2</sub>) and toxic air contaminants (TACs) also affect climate change and human health, respectively, but no state or federal ambient air quality standards exist for these pollutants.</p> <ul style="list-style-type: none"> <li>• <b>Ozone:</b> Ozone is a respiratory irritant and an oxidant that can cause substantial damage to vegetation and other materials. Ozone is not emitted directly into the air, but is formed by a photochemical reaction in the atmosphere. Ozone precursors, called reactive organic gases (ROG), and oxides of nitrogen (NOX) react in the atmosphere in the presence of sunlight to form ozone. Ozone is primarily a summer air pollution problem, and high ozone levels often occur downwind of the emission source. Ozone conditions in Placer County result from a combination of locally generated emissions and transported emissions.</li> <li>• <b>Inhalable Particulate Matter:</b> The federal and state ambient air quality standard for particulate matter applies to two classes of particulates: PM<sub>10</sub> and PM<sub>2.5</sub>. Health concerns associated with suspended particulate matter focus on those particles small enough to reach the lungs when inhaled. Particulates also reduce visibility and corrode materials. Sources of PM<sub>10</sub> in the MCAB are both rural and urban, and include agricultural burning, discing of agricultural fields, industrial emissions, dust suspended by vehicle traffic, and secondary aerosols formed by reactions in the atmosphere.</li> <li>• <b>Carbon Monoxide:</b> Carbon monoxide is a public health concern because it combines readily with hemoglobin and reduces the amount of oxygen transported in the bloodstream. Motor vehicles are the dominant source of CO emissions in most areas. High CO levels develop primarily during winter, when periods of light winds combine with the formation of ground-level temperature inversions (typically from the evening through early morning). These conditions result in reduced dispersion of vehicle emissions. Motor vehicles also exhibit increased CO emission rates at low air temperatures.</li> <li>• <b>Carbon Dioxide:</b> Carbon dioxide is an anthropogenic greenhouse gas (GHG) and accounts for more than 75% of all anthropogenic GHG emissions. Its long atmospheric lifetime (on the order of decades to centuries) ensures that atmospheric concentrations of CO<sub>2</sub> will remain elevated for decades. Increasing CO<sub>2</sub> concentrations in the atmosphere are primarily a result of emissions from the burning of fossil fuels, gas flaring, cement production, and land use changes.</li> <li>• <b>Mobile Source Air Toxics/Toxic Air Contaminants:</b> Toxic air contaminants (TACs) are pollutants that may result in an increase in mortality or serious illness, or that may pose a present or potential hazard to human health. ARB identified particulate matter from diesel-fueled engines as a TAC, which is estimated to be responsible for about 70% of the total ambient air toxics risk (California Air Resources Board 2002).</li> </ul>				

ENVIRONMENTAL IMPACTS:	<i>Potentially Significant Impact</i>	<i>Less than Significant With Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
<p><b>Monitoring Data</b> Ozone concentrations are measured at a local monitoring station in the project area. The monitoring station for Colfax is located at 33 South Main Street. A review of the Colfax monitoring station for the last 3 years that complete data is available (2008-2010) shows that the monitoring station has experienced 7 violations of the state 1-hour ozone standard, 22 violations of the federal 8-hour ozone standard and 52 violations of the state 8-hour ozone standard during the 3-year monitoring period.</p> <p><b>Attainment Status</b> If monitored pollutant concentrations meet state or federal standards over a designated period of time, the area is classified as being in attainment for that pollutant. If monitored pollutant concentrations violate the standards, the area is considered a nonattainment area for that pollutant. If data are insufficient to determine whether a pollutant is violating the standard, the area is designated as unclassified. The USEPA has classified Placer County as a nonattainment area for the 8 hour ozone standard (USEPA February 2011). For the CO standard, the USEPA has classified the county as an attainment/unclassified area (USEPA February 2011). The USEPA has classified Placer County as an unclassified/attainment area for the PM<sub>10</sub> and PM<sub>2.5</sub> standards (USEPA February 2011). The ARB has classified Placer County as a nonattainment area for ozone and PM<sub>10</sub> standards (ARB February 2011). For the CO and PM<sub>2.5</sub> standards, the ARB has classified the county as unclassified (ARB February 2011). The PCAPCD has an adopted emission thresholds of 82 pounds per day for ROG, NO<sub>x</sub>, and PM<sub>10</sub>.</p> <p><b>PCAPCD Adopted Rules</b> The PCAPCD has adopted a number of District Rules that apply to the construction phase of the proposed project. The project's Conditions of Approval will include a condition requiring compliance with PCAPCD's rules.</p> <p><b>Impact Discussion (III-a):</b> Amending the Sign Ordinance to allow digital billboard signs on City-owned properties will not directly result in air quality impacts, as the amendment does not permit the immediate construction of digital billboard signs. Future site-specific analysis will be required prior to approval to quantify the estimated emissions from construction activity. In general, site activities are understood to include: drilling a hole for the supporting column, construction of the column and pouring of concrete for the foundation, and assembly and installation of the digital billboard sign.</p> <p>According to information obtained from the City of Sacramento associated with its digital billboard project, the period of site activity for each sign is approximately one week. Usually, one sign is constructed at a time. Using the Sacramento project as a comparative example, Sacramento staff estimated that site activities would generate approximately 21.47 pounds of NO<sub>x</sub> per day. These emissions fall below the PCAPCD's 82 lb/day threshold of significance for construction emissions.</p> <p>The Sacramento Metropolitan Air Quality Management District Guidelines provide that if a project's NO<sub>x</sub> emissions from heavy-duty mobile sources are less than significant, as here, the lead agency may assume that exhaust emissions of other pollutants from operation of equipment and worker commute vehicles are also less than significant. The project area is within the PCAPCD's jurisdiction, and in this case, quantitative data is not available to establish emissions for CO and ROG. Using the SMAQMD Guidelines, it could be reasonably concluded that ROG and CO will also remain below the 82 lb/day threshold resulting in a less than significant impact.</p> <p><b>Impact Discussion (III-b, -d and -e):</b> Land uses such as schools, hospitals, residences and convalescent homes are considered to be sensitive to poor air quality. The project's air quality impacts are less than significant, and construction activities at each of the sites would be temporary and of short duration. No substantial emissions or odors would be associated with construction or operation, and no significant impacts would occur. Any impacts would be considered less than significant.</p> <p><b>Impact Discussion (III-c):</b> Each of the digital billboard signs would be installed along existing freeways within the City limits. The operation of digital billboard signs would not result in the alteration of air movement, moisture, or temperature, or in any change in climate, either locally or regionally beyond what is currently experienced in that area. Any impacts would be considered less than significant.</p> <p><b>Mitigation Measures:</b></p> <p>No mitigation measures are necessary.</p>				



ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
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**IV. BIOLOGICAL RESOURCES.** Would the project:

a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X	
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?		X	
c)	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		X	
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X	
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X	
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X

**Impact Discussion (IV-a through -f):** The project involves removal of existing static billboards and placement of new billboard(s) on City-owned properties adjacent to I-80 and Highway 174 in areas that may contain natural forest and native vegetation. However, at the time a specific billboard location is proposed, a tree survey would be required. If trees are present, the project would be required to comply with the City's tree preservation ordinance. In addition, future billboard locations will be designed to avoid impacts to any protected wetlands.

Based on the discussion above, impacts to biological resources are considered less-than-significant.

**Mitigation Measures:**

No mitigation measures are necessary.

**V. CULTURAL RESOURCES.** Would the project:

a)	Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?		X	
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		X	
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?			X
d)	Disturb any human remains, including those interred outside of formal cemeteries?		X	

ENVIRONMENTAL IMPACTS:	<i>Potentially Significant Impact</i>	<i>Less than Significant With Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
<p><b>Impact Discussion (V-a):</b> There are 3 locations in Colfax which are identified and listed on the National Register of Historic Places: the Colfax Freight Depot (7 Main St.), the Colfax Passenger Depot (Main St. and Railroad Ave.) and Stevens Trail (Secret Ravine ridge area). (Note: These locations are not listed on the California State Register of Historic Places.) The proposed project would amend the City's Sign Ordinance to allow digital billboard signs on City-owned property with commercial or industrial zoning designations. The future digital billboard signs would be located within 660 feet of the right-of-way of I-80 and Highway 174. The Passenger and Freight Depots are not near enough to the state highways that they could be impacted. The standards used by CalTrans for enforcing sign brightness under the Outdoor Advertising Act, although imposed for traffic safety reasons, effectively results in controls that ensure that the operation of any digital billboard sign does not create a substantial new source of light or glare. Therefore, these explicit lumens limitations should prevent any significant adverse impacts to Stevens Trail. Based on the foregoing, this impact is considered less than significant.</p> <p><b>Impact Discussion (V-b):</b> The proposed project would amend the City's Sign Ordinance to allow digital billboard signs on City-owned property with commercial or industrial zoning designations. The future digital billboard signs would be located within 660 feet of the right-of-way of I-80 and Highway 174. No known archeological resources are identified within the project area; this may be the result of the absence of any inventory data for the area. It is possible that archeological resources are present within the project area. Project activities including grading and excavation could affect such resources. However, standard conditions of approval require the applicant to stop work if any archeological resources are identified during project construction. Due to the small size of the project and the low probability that archaeological resources are present, this impact is less-than-significant.</p> <p><b>Impact Discussion (V-c):</b> The proposed project would amend the City's Sign Ordinance to allow digital billboard signs on City-owned property with commercial or industrial zoning designations. The future digital billboard signs would be located within 660 feet of the right-of-way of I-80 and Highway 174. There are no unique paleontological resources or unique geological features within the project area. There is no impact.</p> <p><b>Impact Discussion (V-d):</b> The proposed project would amend the City's Sign Ordinance to allow digital billboard signs on City-owned property with commercial or industrial zoning designations. The future digital billboards signs would be located within 660 feet of the right-of-way of I-80 and Highway 174. No known human remains are present within the area. It is possible this may be the result of the absence of any inventory data for the area. It is possible that human remains resources are present within the project area. Project activities including grading and excavation could affect such resources. However, standard conditions of approval require the applicant to stop work if any human remains are identified during project construction. Due to the small size of the project and the low probability that human remains are present, this impact is less-than-significant.</p> <p><b>Mitigation Measures:</b></p> <p>No mitigation measures are necessary.</p>				

VI. GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii. Strong seismic ground shaking?				X
iii. Seismic-related ground failure, including liquefaction?				X
iv. Landslides?				X
b) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	

<b>ENVIRONMENTAL IMPACTS:</b>		<i>Potentially Significant Impact</i>	<i>Less than Significant With Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
c)	Result in substantial soil erosion or the loss of topsoil?			X	
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

**Impact Discussion (VI.-a through d):**

The most recent listing of Earthquake Fault Zones under the Alquist-Priolo Earthquake Fault Zoning Act does not include either the City of Colfax or Placer County. [Official Maps, California Department of Conservation Geological Survey, December 2010]

The project would allow the City to consider construction and operation of digital billboard signs on City-owned property along freeways within the City limits. Future billboards would require building permits and would be constructed to the current building code standards. These standards include consideration of geologic and seismic conditions. Soil conditions at each of the billboard sites would be identified and considered as part of the design process.

The areas within 660 feet of the I-80 and Highway 174 right-of-way have relatively flat topography and the possibility of landslides is considered unlikely.

Construction of future billboards would not involve significant changes in topography. No grading would be involved at the billboard sites. Future construction of billboards would be required to comply with the City's construction and improvement standards with respect to erosion and stormwater control associated with ground disturbance.

There are no recognized unique geologic features or physical features that would be affected by the future construction of digital billboard signs. Therefore, related impacts on area soils and earth conditions would be less-than-significant.

**Impact Discussion (VI-e):** The project does not include the use of a septic system. There is no impact.

**Mitigation Measures:**

No mitigation measures are necessary.

**VII. GREENHOUSE GAS EMISSIONS.** Would the project:

a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

**Impact Discussion (VII-a and -b):**

*I. Global Climate Change:* Climate change is a shift in the "average weather" that a given region experiences. This is measured by changes in temperature, wind patterns, precipitation, and storms. Global climate is the change in the climate of the earth as a whole. It can occur naturally, as in the case of an ice age, or occur as a result of anthropogenic activities. The extent to which anthropogenic activities influence climate change has been the subject of extensive scientific inquiry in the past several decades. The Intergovernmental Panel on Climate Change (IPCC), recognized as the leading research body on the subject, issued its Fourth Assessment Report in February 2007, which asserted that there is "very high confidence" (by IPCC definition 9 in 10 chance of being correct) that human activities have resulted in a net warming of the planet since 1750.

ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
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The California Environmental Quality Act (CEQA) requires local agencies to engage in forecasting "to the extent that an activity could reasonably be expected under the circumstances". The agency cannot be expected to predict the future course of governmental regulation or exactly what information scientific advances may ultimately reveal (CEQA Guidelines Section 15144, *Office Associate v. Regents of the University of California* (1988) 47 Cal.3d 376).

*II Greenhouse Gas Emissions:* Recent concerns over global warming have created a greater interest in greenhouse gases (GHG) and their contribution to global climate change (GCC). However, at this time there are no generally accepted thresholds of significance for determining the impact of GHG emissions from an individual project on GCC. Thus, the City may develop policies and guidance to ascertain and mitigate, to the extent feasible, the effect of GHG, for CEQA purposes, without the normal degree of accepted guidance by case law. The City of Colfax currently has not developed nor established a policy for this.

The potential effect of greenhouse gas emissions on global climate change is an emerging issue that warrants discussion under CEQA. Unlike the pollutants discussed in Section III of this report (Air Quality) that may have regional and local effects, greenhouse gases have the potential to cause global changes in the environment. In addition, greenhouse gas emissions do not directly produce a localized impact, but may cause an indirect impact if the local climate is adversely changed by its cumulative contribution to a change in the global climate. Individual development projects contribute relatively small amounts of greenhouse gases that when added to other greenhouse gas producing activities around the world would cumulatively result in an increase in these emissions that have led many to conclude is changing the global climate. However, no threshold has been established for what would constitute a cumulatively considerable increase in greenhouse gases for individual development projects that might be considered significant. The State of California has taken several actions that help to address potential global climate change impacts.

In 2006, the State of California adopted Assembly Bill 32 which requires the California Air Resources Board (CARB) to develop regulations and market mechanisms that will ultimately reduce California's greenhouse gas emissions by 25 percent by 2020. Mandatory caps will begin in 2012 for significant sources and ratchet down to meet the 2020 goals.

#### **Construction-related and Operational GHG Emissions**

Future construction of digital billboard signs could contribute to GHG emissions. The project's GHG emissions are at a micro-scale relative to global emissions, but could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact. Whether a particular project would generate a substantial increase in GHG emissions relative to existing conditions, and whether emissions from a project would make a cumulatively considerable incremental contribution to the cumulative impact of global climate change, can be considered speculative. However, through implementation of AB 32, CARB has established the statewide emission reduction target of 29 percent from business-as-usual (BAU) levels, which is enforced by the Air Quality Management Districts and Air Pollution Control Districts throughout the State, including the PCAPCD. In order to meet the statewide reduction target, the City must ensure development projects do not conflict with the emission reduction targets for the area. Future billboard construction will be designed or required to participate in programs that help reduce the GHG by 29% from BAU levels, thus reducing the impact to GHG to a less than significant level. As a result, project operations would result in a net decrease in GHG emissions relative to the no project condition. Therefore, project-generated GHG emissions would not conflict with the State goals listed in AB 32 or in any preceding state policies adopted to reduce GHG emissions. This impact is considered less than significant.

#### **Mitigation Measures:**

No mitigation measures are necessary.

#### **VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:**

a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X

<b>ENVIRONMENTAL IMPACTS:</b>		<i>Potentially Significant Impact</i>	<i>Less than Significant With Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f)	For a project within the vicinity of a private airstrip, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h)	Expose people or structures to a significant risk of loss, injury or death involving wild-land fires, including where wild-lands are adjacent to urbanized areas or where residences are intermixed with wild-lands?			X	

**Impact Discussion (VIII-a and -b):** The project will not emit, produce or handle any hazardous materials. It is assumed that any materials used during construction activities or for maintenance of the billboards that would be considered hazardous would be utilized in compliance with applicable regulations. It is also noted that state and federal laws require proper handling, use and disposal of hazardous materials. These same laws and regulations require the prevention and reduction of injury to people and the environment in the event of an accidental release. Consequently, there are no reasonably foreseeable operational upset or accidental conditions that would involve a significant release of hazardous materials into the environment. During the installation process of the billboards, holes would be drilled and the excavated soil would be transported offsite. The project may include trenching to connect the electrical supply. Prior to construction activities, the sites will be assessed for the presence of hazardous materials, which, if present, would be handled according to existing City regulations regarding hazardous materials handling and disposal. Based on the foregoing, impacts relating to hazardous materials are less-than-significant.

**Impact Discussion (VIII-c):** No school exists within 0.25 mile of the project site. There is no impact.

**Impact Discussion (VIII-d):** The project site and adjacent parcels are not included on any list of hazardous materials sites [DTSC, 2011]. Therefore no impacts would result from disturbance within a listed hazardous materials site.

**Impact Discussion (VIII-e):** The project is not located within an airport land use plan, or within two miles of a public airport or public use airport. There is no impact.

**Impact Discussion (VIII-f):** The project is not located within the vicinity of a private airstrip or within two miles of a public airport or public use airport. There is no impact.

**Impact Discussion (VIII-g):** The project will not alter existing traffic circulation in the project area. There is no impact.

**Impact Discussion (VIII-h):** The project is located in an area that may be prone to wild-land fires, where wild-lands are adjacent to an urbanized area or where residences are intermixed with wild-lands. However, because digital billboard signs must be located on commercial or industrial-zoned property along the I-80 and SR 174 corridors, and because the ordinance limits the total number of billboards, whether digital or not, to the number of existing billboards, as well as potentially allowing removal of existing billboards via relocation agreements, there is no net increase in any impacts. Therefore, this impact is considered less than significant per the City's Fire Marshall. [Eicholtz, pers. comm. 2012]

#### **Mitigation Measures:**

No mitigation measures are necessary.

ENVIRONMENTAL IMPACTS:		Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
<b>IX. HYDROLOGY AND WATER QUALITY.</b> Would the project:					
a)	Violate any water quality standards or waste discharge requirements?				X
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or salutation on- or off-site?			X	
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
e)	Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				X
f)	Otherwise substantially degrade water quality?				X
g)	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i)	Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j)	Result in inundation by seiche, tsunami, or mudflow?				X

**Impact Discussion (IX-a through -f):** The project involves amending the sign ordinance to allow the potential construction and operation of digital billboard signs in locations yet to be determined. Operation of digital billboard signs does not involve the use of water or generation of waste water. Construction related activities, such as drilling a hold for the foundation, and pouring concrete, have the potential to impact water quality. These activities have the potential to increase sediment loads in runoff that would enter the sewer and/or creek system. Fuel, oil, grease, solvents and other chemicals used in construction activities have the potential to create toxicity problems if allowed to enter a waterway.

Construction activities are also a source of various other materials including trash, soap and sanitary wastes. Construction activities at each billboard site would be limited to a few days of installation of each sign. Potential impacts would be minimal, and compliance with the City and State regulations would reduce any potential impacts to surface water and drainage to a less-than-significant level.

The project is not expected to involve substantial excavation or trenching that would impact groundwater. The project involves drilling holes approximately 5 feet in diameter with depths exceeding 25 feet, which could result in groundwater being encountered. In the event that groundwater is encountered and dewatering activities are required, it would be short-term as each site installation is expected to take only a few days to complete and the hole would be filled with concrete resulting in minimal effects to groundwater. The project could

ENVIRONMENTAL IMPACTS:	<i>Potentially Significant Impact</i>	<i>Less than Significant With Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
<p>result in a short-term change in groundwater quality. Any dewater activities associated with the project must comply with the applicable City and state water quality requirements to ensure that such activities would not result in substantial changes in groundwater flow or quality. The project would not require service for water and existing drainage at future selected sites would be maintained. No increases in storm water would result.</p>				
<p>Following construction, the project would not substantially change impervious surface area and would not have a substantial impact on groundwater recharge. Therefore, the proposed project would have a less-than-significant impact on groundwater.</p>				
<p>The project would eventually involve the construction and operation of digital billboard signs on City-owned properties. The project would not require service for water, existing drainage at future selected sites would be maintained, and no increases in stormwater would result.</p>				
<p><b>Impact Discussion (IX-g and -h):</b> The subject site is not located within a 100-year flood hazard area. [FEMA FIRM, Map Number 06061C0125F] There is no impact.</p>				
<p><b>Impact Discussion (IX-i):</b> The subject site is not exposed to a significant risk of inundation as a result of dam or levee failure. There is no impact.</p>				
<p><b>Impact Discussion (IX-j):</b> The project is not located near any ocean, coast or seiche hazard areas. No potential mudflows are anticipated. There is no impact.</p>				
<p><b>Mitigation Measures:</b></p> <p>No mitigation measures are necessary.</p>				
<p><b>X. LAND USE AND PLANNING.</b> Would the project:</p>				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
<p><b>Impact Discussion (X-a):</b> Future digital billboard signs on City-owned properties adjacent to the freeways would not involve any physical changes that would have the potential to divide the established community. Thus, the project would have no impact concerning community division.</p>				
<p><b>Impact Discussion (X-b):</b> Placement of digital billboard signs is limited to commercial or industrial-zoned property only. The City will require any future billboard constructed on City property to comply with the Outdoor Advertising Act guidelines to minimize light (see the Aesthetics section for additional detail) and applicable highway safety regulations (see the Transportation section for additional detail) to minimize hazards. The purpose of the ordinance is to permit digital billboard signs, which would resolve any potential conflicts associated therewith. Therefore, there is no impact.</p>				
<p><b>Impact Discussion (X-c):</b> The City of Colfax does not have an adopted habitat conservation plan or natural community conservation plan that would be affected by the project. There is no impact.</p>				
<p><b>Mitigation Measures:</b></p> <p>No mitigation measures are necessary.</p>				

ENVIRONMENTAL IMPACTS:		Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
<b>XI. MINERAL RESOURCES.</b> Would the project:					
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b)	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
<p><b>Impact Discussion (XI-a):</b> The proposed project would amend the City's Sign Ordinance to allow digital billboard signs on City-owned property with commercial or industrial zoning designations. The future digital billboard signs would be located within 660 feet of the right-of-way of I-80 and Highway 174. The project is not located in an area determined to have significant mineral resources, nor are any expected to be encountered during project development. [USGS, Mineral Resources Spatial Data, December 2011] There is no impact.</p> <p><b>Impact Discussion (XI-b):</b> The City of Colfax does not have a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. There is no impact.</p> <p><b>Mitigation Measures:</b></p> <p>No mitigation measures are necessary.</p>					
<b>XII. NOISE.</b> Would the project result in:					
a)	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b)	Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?			X	
c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
<p><b>Impact Discussion (XII-a through -d):</b> Digital billboard signs are not known to emit noise or sound. Construction activities could expose nearby tenants/landowners to increased noise levels and/or vibration. These impacts would be temporary and are considered less-than-significant since noise resulting from construction activities is regulated by the City's Municipal Code.</p>					



ENVIRONMENTAL IMPACTS:		Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
<p><b>Impact Discussion (XII-e and -f):</b> The proposed project would amend the City's Sign Ordinance to allow digital billboard signs on City-owned property with commercial or industrial zoning designations. The future digital billboard sign would be located within 660 feet of the right-of-way of I-80 and Highway 174. The project is not located within an airport land use plan, within two miles of a public airport or public use airport, nor within the vicinity of a private airstrip. There is no impact.</p> <p><b>Mitigation Measures:</b></p> <p>No mitigation measures are necessary.</p>					
<b>XIII. POPULATION AND HOUSING.</b> Would the project:					
a)	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
<p><b>Impact Discussion (XIII-a through -c):</b> The project involves amending the sign ordinance to allow for future potential digital billboard sign construction on city-owned property. The project will not induce population growth or displace any existing housing. Further, the project will not displace any persons and will not necessitate the construction of replacement housing. There is no impact.</p> <p><b>Mitigation Measures:</b></p> <p>No mitigation measures are necessary.</p>					
<b>XIV. PUBLIC SERVICES.</b> Would the Project:					
a)	Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:				
i.	Fire Protection?				X
ii.	Police Protection?				X
iii.	Schools?				X
iv.	Parks?				X
v.	Other Facilities?				X
<p><b>Impact Discussion:</b> The project involves amending the sign ordinance to allow for future potential digital billboard sign construction on city-owned property and would not increase the demand for public services. There is no impact.</p> <p><b>Mitigation Measures:</b></p> <p>No mitigation measures are necessary.</p>					

ENVIRONMENTAL IMPACTS:		Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
<b>XV. RECREATION.</b> Would the project:					
a)	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?				X
<p><b>Impact Discussion (XV-a):</b> The project involves amending the sign ordinance to allow for future digital billboard sign construction on city-owned property. Given the nature of the project, it would not increase the use of neighborhood and regional parks or other recreation facilities. There is no impact.</p> <p><b>Impact Discussion (XV-b):</b> The project involves amending the sign ordinance to allow for future digital billboard sign construction on city-owned property. The project does not include recreational facilities or require the construction or expansion of recreational facilities. There is no impact.</p> <p><b>Mitigation Measures:</b></p> <p>No mitigation measures are necessary.</p>					
<b>XVI. TRANSPORTATION/TRAFFIC.</b> Would the project:					
a)	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
b)	Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			X	
d)	Substantially increase hazards due to a design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e)	Result in inadequate emergency access?				X
f)	Conflict with adopted policies, plans, or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X	
<p><b>Impact Discussion (XV-a, -b, -c and -f):</b> The operation of digital billboard signs would not result in any increase in vehicle trips or changes in air traffic patterns or alternative transportation. Traffic generated for construction would be minimal in both level and duration. This impact is less than significant.</p>					

ENVIRONMENTAL IMPACTS:	<i>Potentially Significant Impact</i>	<i>Less than Significant With Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
<p><b>Impact Discussion (XV-d):</b> The project proposes to amend the sign ordinance to allow potential construction of digital billboard signs along I-80 and SR 174 within the City limits. The billboards would be visible from the roadway. Digital billboard signs employ LED technology and allow for periodic changes in display.</p> <p>The capability of digital billboard signs to present changing images has raised concerns regarding the effect of such signage on traffic safety. The primary concern has been effects on driver attention, but concerns have also been raised regarding the potential for such signage to produce light of such intensity or direction that it could interfere with driver vision.</p> <p>The Federal Highway Administration (FHWA) has addressed signage issues in general, and digital signs in particular. As part of its agreement with various states pursuant to the Highway Beautification Act, for example, it has confirmed that no sign is allowed that imitates or resembles any official traffic sign, and that signs may not be installed in such a manner as to obstruct, or otherwise physically interfere with an official traffic sign, signal, or device, or to obstruct or physically interfere with the vision of drivers in approaching, merging or intersecting traffic. These provisions may be enforced by the FHWA, but the agreement with the State of California also requires Caltrans to enforce these provisions.</p> <p>The FHWA agreement with California includes specific provisions regarding the brightness of signage:</p> <p style="padding-left: 40px;">Signs shall not be placed with illumination that interferes with the effectiveness of, or obscures any official traffic sign, device or signal; shall not include or be illuminated by flashing, intermittent or moving lights (except that part necessary to give public service information such as time, date, temperature, weather or similar information), shall not cause beams or rays of light to be directed at the traveled way if such light is of such intensity or brilliance as to cause glare or impair the vision of any driver, or to interfere with any driver's operation of a motor vehicle. [Agreement dated February 15, 1968].</p> <p>The FHWA has responded to the development of signs that present changing messages, either mechanically or digitally, with an interpretation of its agreement with the states pursuant to the Highway Beautification Act. The FHWA discussed "changeable message signs" in a Memorandum dated July 17, 1996, concluding that a state could reasonably interpret the provisions of its agreement with the FHWA "...to allow changeable message signs...The frequency of message change and limitation in spacing for these signs should be determined by the State."</p> <p>On September 25, 2007 the FHWA again issued a Memorandum on the subject of off-premises changeable electronic variable message signs, or CEVMS. The Memorandum stated that proposed laws, regulations and procedures that allowed CEVMS subject to acceptable criteria would not violate the prohibition on "intermittent" or "flashing" or "moving" signs as used in the state agreements. The Memorandum identified "ranges of acceptability" relating to such signage, as follows:</p> <ul style="list-style-type: none"> <li>• Duration of message: Duration of display is generally between 4 and 10 seconds; 8 seconds is recommended;</li> <li>• Transition time: Transition between messages is generally between 1 and 4 seconds; 1 to 2 seconds is recommended;</li> <li>• Brightness: The sign brightness should be adjusted to respond to changes in light levels;</li> <li>• Spacing: Spacing between the signs should be not less than the minimum specified for other billboards, or greater if deemed required for safety;</li> <li>• Locations: Location criteria are the same as for other signage, unless it is determined that specific locations are inappropriate.</li> </ul> <p>The Memorandum also referred to other standards that have been found helpful to ensure driver safety. These include a default designed to freeze the display in one still position if a malfunction occurs; a process for modifying displays and lighting levels where directed by the State DOT (Caltrans) to assure safety of the motoring public; and requirements that a display contain static messages without movement such as animation, flashing, scrolling, intermittent or full-motion video. Manufacturers and operators of digital billboard signs currently use a full-black screen in the event of a malfunction.</p> <p>In addition to the provisions of the Highway Beautification Act (23 U.S.C. §131) and the FHWA memoranda discussed above, the state of California has adopted the Outdoor Advertising Act (Business and Professions Code §5200 et seq.) and regulations implementing its provisions (California Code of Regulations, Title 4, Division 6, §2240 et seq.). These include provisions that deal specifically with "message centers," which are defined as "...an advertising display where the message is changed more than once every two minutes, but no more than once every four seconds." [§216.4]</p>				

ENVIRONMENTAL IMPACTS:	<i>Potentially Significant Impact</i>	<i>Less than Significant With Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
<p>Consistent with the memoranda executed pursuant to the Highway Beautification Act, the Outdoor Advertising Act provides that message center displays that comply with its requirements are not considered flashing, intermittent or moving light. [5405(d)(1)] The requirements provide that such signs must not display messages that change more than once every four seconds, and that no message center may be placed within 1,000 feet of another message center display on the same side of the highway.</p> <p>The California Vehicle Code regulates the brightness of billboard lighting. Vehicle Code §21466.5, which identifies the applicable standard, may be enforced by Caltrans, the California Highway Patrol, or local authorities. Vehicle Code §21467 provides that each prohibited sign, signal, device or light is a public nuisance and may be removed without notice by Caltrans, the California Highway Patrol or local authorities.</p> <p>Caltrans requires that any person engaged in the outdoor advertising business must obtain a license from Caltrans and pay the required fee. [5300] No person may place any advertising display in areas subject to Caltrans authority without having a written permit from Caltrans. [5350]</p> <p>These provisions of law and regulation effectively regulate sign location and brightness to ensure that digital billboard signs will not be located in such a manner as to create hazards due to lighting conditions themselves. Digital billboard signs are equipped with sensors that modify the brightness of the sign in response to ambient lighting conditions, thus ensuring that the brightness of the display in evening, nighttime or dawn conditions does not present a traffic hazard.</p> <p>As digital billboard sign technology has evolved, the issue has been raised as to whether digital billboard signs themselves, regardless of compliance with such operating restrictions, present a distraction to drivers and thereby create conditions that could lead to accidents. The Federal Highway Administration has monitored the issue closely, and recently released its report updating the agency's view of the issues and research. The report is entitled: "The Effects of Commercial Electronic Variable Message Signs (CEVMS) on Driver Attention and Distraction: An Update." [FHWA Report 2009]</p> <p>The FHWA Report addressed the basic research question of whether operation of a CEVMS along the roadway is associated with a reduction of driving safety for the public. The report identified three fundamental methods for answering this question: (1) whether there is an increase in crash rates in the vicinity of CEVMS, (2) whether there is an increase in near-crashes, sudden braking, sharp swerving and other such behaviors in the vicinity of CEVMS, and (3) whether there are excessive eye glances away from the roadway in the vicinity of CEVMS.</p> <p>The report discusses existing literature and reports of studies, key factors and measures relating to CEVMS and effects on traffic, and recommends a study approach. An extensive bibliography is included in the report. The report does not purport to provide guidance to states on the Control of CEVMS. The report confirmed that there have been no definitive conclusions about the presence or strength of adverse safety impacts from CEVMS. Similarly, a study performed under the National Cooperative Highway Research Program (NCHRP), Project 20-7 (256) entitled "Safety Impacts of the Emerging Digital Display Technology for Outdoor Advertising Signs" (NCHRP Report) reviewed existing literature. Both reports agreed that digital billboard signs should be regulated as a means of protecting the public interest.</p> <p>Conducting a study to isolate attention to a digital billboard sign, and to measure and analyze the effects of such attention, is difficult. Not only are roadway conditions unique for each sign location, but there are also a variety of other factors that may contribute to driver inattention, including other roadway signage (including official signage), and other driver activities (such as tuning the radio, talking on the phone, smoking, talking to other passengers).</p> <p>Various restrictions have been identified in reports that relate to the location and operation of digital billboard signs that seek to reduce safety concerns. These relate to brightness, message duration and message change interval, billboard location with regard to official traffic control devices, roadway geometry, vehicle maneuver requirements at interchanges (i.e., lane drops, merges and diverges), and with regard to the specific constraints that should be placed on the placement and operation of such signs. Regulation of operations could include, for example, the time any single message may be displayed, the time of message transition, brightness of the sign and controls that adjust brightness based on the ambient light environment, and design and placement that ensures that the sign does not confuse drivers, or create dangerous glare.</p>				

<b>ENVIRONMENTAL IMPACTS:</b>		<i>Potentially Significant Impact</i>	<i>Less than Significant With Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
<p>Restrictions on digital billboard signs contained within the Outdoor Advertising Act and enforced by Caltrans regulate many of the conditions that have been identified as relevant to traffic safety. Caltrans regulates the location of each proposed digital billboard sign through its application process, and the distance between such signs is also regulated. California statutory provisions regulate brightness of displays. Future lease and operating agreements executed by the City with selected vendors would regulate the message display time, message interval, and sign dimensions. Through local and state law, such signage would be prohibited from displaying flashing lights, flashing images, or moving images.</p> <p>Any future digital billboard sign constructed and operated on City property must comply with restrictions regarding location, intensity of light, light trespass, or other restrictions, especially those enforced by the California Department of Transportation (Caltrans) pursuant to its authority under the agreements between the U.S. Department of Transportation under the Highway Beautification Act, and the Outdoor Advertising Act.</p> <p>Compliance with existing federal regulations, state law, and City code will ensure that effects to transportation and traffic would be less than significant.</p> <p><b>Impact Discussion (XV-e):</b> The proposed digital billboard signs would be located outside travelled portions of the roadway, and would present no obstacles to emergency access. No impact would occur.</p> <p>The signs would have the capacity to display official messages regarding emergencies, and could perform as part of the emergency response system, thus resulting in beneficial impacts. Therefore, the project would have no impact with regard to inadequate emergency access.</p> <p><b>Mitigation Measures:</b></p> <p>No mitigation measures are necessary beyond those imposed by CalTrans.</p>					
<b>XVII. UTILITIES AND SERVICE SYSTEMS.</b> Would the project:					
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e)	Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g)	Comply with federal, state, and local statutes and regulations related to solid waste?				X

ENVIRONMENTAL IMPACTS:	<i>Potentially Significant Impact</i>	<i>Less than Significant With Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
<p><b>Impact Discussion (XVII-a through -g):</b> The project would amend the sign ordinance to allow digital billboard signs on city-owned property, as well as potentially remove existing billboards exercised through relocation agreements. Each digital billboard sign would require electrical service. Providing such service through extension of existing electrical service in the vicinity is not expected to result in any significant effects. The project would not generate any wastewater or require a supply of potable water. Construction and operation of the digital billboard signs would not require other utility services, and would not affect drainage. Installation of the proposed billboards would require coordination with various utility companies via the Underground Service Alert (USA) to prevent conflicts with subterranean pipelines. There would be no impact on utility services. The project will not require the construction of new water, wastewater or stormwater drainage facilities or the expansion of such facilities. Nor will it require water supply or wastewater treatment service. The project will not produce solid waste. There is no impact.</p> <p><u>Energy</u></p> <p>Digital billboards installed and operated as part of the project would use electrical energy, and would be constructed pursuant to current electrical codes, including Title 24. These standards would ensure that electrical energy would be used efficiently. The underlying question as to whether digital billboard signs are an effective or desirable use of electrical energy is a policy decision, but any environmental effects are less-than-significant.</p> <p><b>Mitigation Measures:</b></p> <p>No mitigation measures are necessary.</p>				

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)				X
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?				X
<p><b>Impact Discussion (XVIII-a):</b> As described throughout the preceding checklist sections, the proposed project will not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. Any potential impacts to important examples of major periods of California history or prehistory are considered less-than-significant.</p> <p><b>Impact Discussion (XVIII-b and -c):</b> As described throughout the preceding checklist sections, the proposed project will not result in cumulatively considerable impacts or environmental impacts that would cause substantial adverse effects to human beings, either directly or indirectly. There is no impact.</p> <p><b>Mitigation Measures:</b></p> <p>No mitigation measures are necessary.</p>				

# Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards <sup>1</sup>		Federal Standards <sup>2</sup>		
		Concentration <sup>3</sup>	Method <sup>4</sup>	Primary <sup>3,5</sup>	Secondary <sup>3,6</sup>	Method <sup>7</sup>
Ozone (O <sub>3</sub> )	1 Hour	0.09 ppm (180 µg/m <sup>3</sup> )	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	0.070 ppm (137 µg/m <sup>3</sup> )		0.075 ppm (147 µg/m <sup>3</sup> )		
Respirable Particulate Matter (PM <sub>10</sub> )	24 Hour	50 µg/m <sup>3</sup>	Gravimetric or Beta Attenuation	150 µg/m <sup>3</sup>	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m <sup>3</sup>		—		
Fine Particulate Matter (PM <sub>2.5</sub> )	24 Hour	No Separate State Standard		35 µg/m <sup>3</sup>	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m <sup>3</sup>	Gravimetric or Beta Attenuation	15.0 µg/m <sup>3</sup>		
Carbon Monoxide (CO)	8 Hour	9.0 ppm (10mg/m <sup>3</sup> )	Non-Dispersive Infrared Photometry (NDIR)	9 ppm (10 mg/m <sup>3</sup> )	None	Non-Dispersive Infrared Photometry (NDIR)
	1 Hour	20 ppm (23 mg/m <sup>3</sup> )		35 ppm (40 mg/m <sup>3</sup> )		
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m <sup>3</sup> )		—		
Nitrogen Dioxide (NO <sub>2</sub> )	Annual Arithmetic Mean	0.030 ppm (57 µg/m <sup>3</sup> )	Gas Phase Chemiluminescence	53 ppb (100 µg/m <sup>3</sup> ) (see footnote 8)	Same as Primary Standard	Gas Phase Chemiluminescence
	1 Hour	0.18 ppm (339 µg/m <sup>3</sup> )		100 ppb (188 µg/m <sup>3</sup> ) (see footnote 8)	None	
Sulfur Dioxide (SO <sub>2</sub> )	24 Hour	0.04 ppm (105 µg/m <sup>3</sup> )	Ultraviolet Fluorescence	—	—	Ultraviolet Fluorescence; Spectrophotometry (Pararosaniline Method) <sup>9</sup>
	3 Hour	—		—	0.5 ppm (1300 µg/m <sup>3</sup> ) (see footnote 9)	
	1 Hour	0.25 ppm (655 µg/m <sup>3</sup> )		75 ppb (196 µg/m <sup>3</sup> ) (see footnote 9)	—	
Lead <sup>10</sup>	30 Day Average	1.5 µg/m <sup>3</sup>	Atomic Absorption	—	—	—
	Calendar Quarter	—		1.5 µg/m <sup>3</sup>	Same as Primary Standard	High Volume Sampler and Atomic Absorption
	Rolling 3-Month Average <sup>11</sup>	—		0.15 µg/m <sup>3</sup>		
Visibility Reducing Particles	8 Hour	Extinction coefficient of 0.23 per kilometer — visiblity of ten miles or more (0.07 — 30 miles or more for Lake Tahoe) due to particles when relative humidity is less than 70 percent. Method: Beta Attenuation and Transmittance through Filter Tape.		No Federal Standards		
Sulfates	24 Hour	25 µg/m <sup>3</sup>	Ion Chromatography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m <sup>3</sup> )	Ultraviolet Fluorescence			
Vinyl Chloride <sup>10</sup>	24 Hour	0.01 ppm (26 µg/m <sup>3</sup> )	Gas Chromatography			

See footnotes on next page ...

For more information please call ARB-PIO at (916) 322-2990

California Air Resources Board (09/08/10)

1. California standards for ozone, carbon monoxide (except Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, suspended particulate matter—PM10, PM2.5, and visibility reducing particles, are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.
2. National standards (other than ozone, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest eight hour concentration in a year, averaged over three years, is equal to or less than the standard. For PM10, the 24 hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above  $150 \mu\text{g}/\text{m}^3$  is equal to or less than one. For PM2.5, the 24 hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact U.S. EPA for further clarification and current federal policies.
3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.
4. Any equivalent procedure which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.
5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.
6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
7. Reference method as described by the EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the EPA.
8. To attain this standard, the 3-year average of the 98th percentile of the daily maximum 1-hour average at each monitor within an area must not exceed 0.100 ppm (effective January 22, 2010). Note that the EPA standards are in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national standards to the California standards the units can be converted from ppb to ppm. In this case, the national standards of 53 ppb and 100 ppb are identical to 0.053 ppm and 0.100 ppm, respectively.
9. On June 2, 2010, the U.S. EPA established a new 1-hour SO<sub>2</sub> standard, effective August 23, 2010, which is based on the 3-year average of the annual 99th percentile of 1-hour daily maximum concentrations. EPA also proposed a new automated Federal Reference Method (FRM) using ultraviolet technology, but will retain the older parosanaline methods until the new FRM have adequately permeated State monitoring networks. The EPA also revoked both the existing 24-hour SO<sub>2</sub> standard of 0.14 ppm and the annual primary SO<sub>2</sub> standard of 0.030 ppm, effective August 23, 2010. The secondary SO<sub>2</sub> standard was not revised at that time; however, the secondary standard is undergoing a separate review by EPA. Note that the new standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the new primary national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.
10. The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.
11. National lead standard, rolling 3-month average: final rule signed October 15, 2008.



# City of Colfax

Resolution No. 04 - 2011

## **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLFAX:**

### **CERTIFYING THE NEGATIVE DECLARATION FOR ORDINANCE NO. 516: AN ORDINANCE OF THE CITY OF COLFAX ADDING SECTION 17.112.175 TO CHAPTER 17.112 OF TITLE 17 OF THE COLFAX MUNICIPAL CODE ALLOWING DIGITAL BILLBOARD SIGNS ON CITY- OWNED PROPERTY**

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**Whereas**, the City of Colfax submitted planning project #PL-01-12 to the Special Land Use Committee for an Ordinance amending the sign ordinance to allow digital billboard signs on City-owned property (the "Project"); and

**Whereas**, the City of Colfax, through the Planning Department, prepared an Initial Study and Negative Declaration of Environmental Impacts for the Project; and

**Whereas**, the City Council held a duly-noticed initial reading of the Initial Study, Negative Declaration and draft digital sign ordinance on February 22, 2012; at which time public comment and comment from members of the City Council was taken;

**Whereas**, the City Council conducted a public hearing on the Project's environmental document on March 14, 2012; and

**Whereas**, the City Council has reviewed and considered the proposed Initial Study and Negative Declaration of Environmental Impacts for the Project; and

**Whereas**, the City Council has reviewed and considered the initial and supplemental staff reports, any and all written comments received during the public review process, and any and all oral or written comments submitted at the first reading of the ordinance and the March 14, 2012 public hearing.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Colfax:

1. That the City Council finds that the Negative Declaration has been completed in compliance with the California Environmental Quality Act;

2. That the City Council finds on the basis of the whole record before it, including the Initial Study and any comments received, that there is no substantial evidence that the Project will have a significant effect on the environment;

3. That the City Council finds that the Initial Study and Negative Declaration reflect the independent judgment and analysis of the City as lead agency for the Project;

4. That the City Council approves and certifies the Negative Declaration for the Project;

5. That the City Clerk is directed to file a Notice of Determination with the Clerk of the County of Placer for the Project; and

6. That the custodian of the documents comprising the record of proceedings is the Department head, or his/her designee, of the City of Colfax Planning Department, whose office is located at 33 S. Main Street, Colfax, CA 95713.

**Passed and Adopted this 14<sup>th</sup> day of March, 2012 by the following roll call vote:**

**Ayes:**

**Noes:**

**Absent:**

**Abstain:**

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**Stephen Harvey, Mayor**

**ATTEST:**

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**Karen Pierce, City Clerk**



## **REPORT TO COLFAX CITY COUNCIL**

Agenda Item No.

10A

### **COUNCIL MEETING OF March 14, 2012**

**To:** Honorable Mayor and Members of the City Council  
**From:** Bruce Kranz, City Manager  
**Prepared By:** Alfred Cabral, City Attorney  
Alan Mitchell, City Engineer  
**Subject:** Consideration of Adoption of Resolution No. 05-2012: A Resolution Of The City Council Of The City Of Colfax Reducing The Landfill Postclosure Surcharge Established By Resolution 20-92 from 27% to 18.5%

**Recommended Action:** Approve Resolution No. 05-2012

**ISSUE STATEMENT AND DISCUSSION:** In order to fund the State mandated post-closure activities for the City's Landfill a prior Council adopted Resolution No. 20-92 (1992) and established a Surcharge of 27% on all Refuse Fees. Resolution 20-92 was extended indefinitely by Resolution 10-94 (1994).

Recology has taken over the garbage billings and agreed to process the postclosure surcharge billing and forward receipts to the City. Because Recology garbage rates are higher than what the City previously charged, applying the 27% to current charges would result in higher costs to end-users, and would generate more revenue than required for the post-closure activities.

Based on the analysis discussed below, staff recommends the City Council approve Resolution No. 05-2012, to reduce the landfill post-closure surcharge to 18.5%.

**FINANCIAL AND/OR POLICY IMPLICATIONS:** Recology provided billing data for their first three months of service. From this, staff calculated an estimated annual garbage billing. To continue to receive the annual amount required by CalRecycle to fund the post-closure activities, the surcharge on the estimated annual garbage billing would need to be 18.3%.

Staff also calculated an average percentage by using the City surcharge amounts (in \$) by category, and the garbage rate (in \$) by category being charged by Recology. The summarized (un-weighted) average under this method resulted in a 19.0% surcharge. Because the majority of the accounts are in a category that has a lower rate than the average, the recommended rate of 18.5% should be adequate.

The City is required by California law and administrative regulations, which are administered by CalRecycle (formerly known as the California Integrated Waste Management Board), to achieve and maintain a minimum deposit in the postclosure maintenance fund. The balance required to be maintained in the fund cannot be reduced or otherwise modified without the consent of CalRecycle. Since the recommended action will not result in a reduction of the required fund balance, CalRecycle's consent to the proposed reduction is not required.

Attachments: Resolution No. 05-2012

# City of Colfax

Resolution No. 05- 2012

## **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLFAX REDUCING THE LANDFILL POSTCLOSURE SURCHARGE ESTABLISHED BY RESOLUTION 20-92 FROM 27% TO 18.5%**

---

**Whereas**, on March 10, 1992, the City Council of the City of Colfax adopted Resolution 20-92 implementing a 27% surcharge (the "Refuse Disposal Surcharge") on all refuse disposal fees to fund a Closure/Postclosure Maintenance Fund (the "Postclosure Maintenance Fund") for the City of Colfax landfill; and

**Whereas**, on March 8, 1994, the City Council of the City of Colfax adopted Resolution 10-94 whereby it extended the Refuse Disposal Surcharge so the Postclosure Maintenance Fund could be adequately funded as required by law; and

**Whereas**, on August 23, 1994, the City Council of the City of Colfax adopted Resolution 46-94 whereby it extended indefinitely the Refuse Disposal Surcharge to continue funding the Postclosure Maintenance Fund and dedicated all collected funds therein solely to closure and postclosure of the City of Colfax Landfill in a manner "equivalent to" a trust fund; and

**Whereas**, California Code of Regulations Title 27, Division 2, Subdivision 1, Chapter 6, Subchapter 2 requires, among other things, the City of Colfax to provide adequate financial assurance for postclosure maintenance of the City of Colfax Landfill; and

**Whereas**, effective June 27, 2011, the City of Colfax and Recology Auburn Placer executed a Solid Waste Franchise Agreement which, among other things, included a modest but justified increase in refuse collection rates which, in turn, increased the revenues that will be collected pursuant to the Refuse Disposal Surcharge unless the Refuse Disposal Surcharge is reduced; and

**Whereas**, the City Council finds and determines that it can reduce the Refuse Disposal Surcharge as provided in this Resolution and still collect sufficient revenue to maintain the Postclosure Maintenance Fund as required by law

### **NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLFAX AS FOLLOWS:**

1. The Refuse Disposal Surcharge is hereby reduced from 27% to 18.5%. The reduced Refusal Disposal Surcharge shall be applied to the total amount billed by Recology on each of its invoices to customers for service in the City of Colfax.
2. The City Manager is hereby authorized to sign all documents and do all things reasonably necessary to adjust the collection of the Refuse Disposal Surcharge to comply with this Resolution.

3. The City shall continue to collect the 18.5% Refuse Disposal Surcharge until the Postclosure Maintenance Fund is adequately funded and ceasing the collection is authorized by CalRecycle.

**The foregoing Resolution was duly and regularly adopted at a regular meeting of the City Council of the City of Colfax held on the 14th day of March 2012 by the following roll call vote of the Council:**

**Ayes:**

**Noes:**

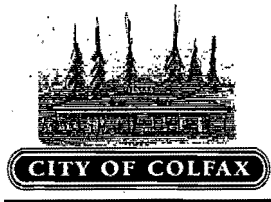
**Absent:**

**Abstain:**

\_\_\_\_\_  
**Stephen Harvey, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Karen Pierce, City Clerk**



**REPORT TO  
COLFAX CITY COUNCIL**

**COUNCIL MEETING OF  
March 14, 2012**

Agenda Item No.

10B

**To:** Honorable Mayor and Members of the City Council  
**From:** Bruce Kranz, City Manager  
**Date:** March 8, 2012  
**Subject:** Consideration of Approval of Art Mural Project on Union Pacific Shed

**Recommended Action:** Approve Mural

**ISSUE STATEMENT AND DISCUSSION:**

Jim Bowers, local artist has requested approval from City Council to paint a mural on the green Union Pacific shed located behind the Freight Lot off N. Main St. Copies of the proposed mural are attached. Mr. Bowers has received permission from Union Pacific for the project. He plans to use local citizens as models and use donations for supplies for the mural.

According to Colfax Municipal Code 17.112.150 all murals require the approval of the Design Review Committee (DRC). Since the City no longer has a DRC this item is before council for approval.

**FINANCIAL AND/OR POLICY IMPLICATIONS:**

None

P.O. Box 702  
33 S. Main Street  
Colfax, CA 95713



Office: (530) 346-2313  
Fax: (530) 346-6214

**CITY OF COLFAX**

*This application shall be accompanied by dimensioned drawings as required by the Building & Sign Codes and any requested materials for Colfax Municipal Codes compliance.*

Name of Applicant: JIM BOWERS Phone: (916) 521-4489  
Mailing Address: PO BOX 288 COLFAX CA 95713  
Name of Property Owner: UNION PACIFIC RR. Phone: (530) 346-7952  
Mailing Address: 401 RAILROAD ST. P.O. BOX 677. COLFAX CA 95713  
Street Address of Sign: HISTORIC COLFAX RAILROAD TRACKS - NORTH END.  
Assessor's Parcel Number: N/A Zone District: N/A  
Land Use: N/A Sign Value Cost: \$1800-  
Lineal Feet of Building Frontage: 55' Lineal feet of property frontage: 55'  
Number of Signs Requested: 1 Propose Date of Installation: 3/1 Number of Existing Signs: 0  
**MURAL**

**Please Select the Type of Sign This Is:**

☒ PROPOSED sign ☐ EXISTING sign

	Size-sq. ft.	Height
<input type="checkbox"/> Window	_____	_____
<input type="checkbox"/> Banner	_____	_____
<input type="checkbox"/> Sandwich Board	_____	_____
<input type="checkbox"/> Flags/Pennants	_____	_____
<input type="checkbox"/> Inflatable Display	_____	_____
<input type="checkbox"/> Offsite Subdivision	_____	_____
<input type="checkbox"/> Future Tenant Identity	_____	_____
<input type="checkbox"/> Political	_____	_____
<input type="checkbox"/> Special Event	_____	_____
<input type="checkbox"/> Agriculture	_____	_____
<input type="checkbox"/> Directional	_____	_____
<input type="checkbox"/> Roof	_____	_____
<input checked="" type="checkbox"/> Other: <u>MURAL</u>	<u>2506</u>	<u>25'</u>

Applicant's Signature: [Signature] Date: 2-24-2012

Property Owners Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**OK BY: WAYNE YARBOROUGH — (530) 346-7952**  
**CALL (530) 906-5918**

P.O. Box 702  
33 S. Main Street  
Colfax, CA 95713



Office: (530) 346-2313  
Fax: (530) 346-6214

**CITY OF COLFAX**

### STAFF USE ONLY

Fee Paid: \_\_\_\_\_ Check Number: \_\_\_\_\_ Cash: \_\_\_\_\_  
Zone District: \_\_\_\_\_ Other Approvals Required: ☐ Yes ☐ No  
Number of signs: \_\_\_\_\_ Value of Sign: \_\_\_\_\_ Proposed Date of Installation: \_\_\_\_\_  
Conditions of Approval: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Permit Number: \_\_\_\_\_ Effective Date: \_\_\_\_\_

*THIS SIGN PERMIT IS ISSUED MAKING ALL OF THE FOLLOWING FINDINGS: (1) THE PROPOSED SIGN IS CONSISTENT WITH THE GOALS AND POLICIES OF THE COLFAX GENERAL PLAN, AND DOES COMPLY WITH ALL APPLICABLE MUNICIPAL CODES AND ORDINANCES. (2) THE PROPOSED SIGN DOES COMPLY WITH APPLICABLE DEVELOPMENT STANDARDS AND WILL NOT BE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, OR WELFARE. (3) THE PHYSICAL LOCATION OR PLACEMENT OF THE SIGN IS COMPATIBLE WITH THE SURROUNDING NEIGHBORHOOD.*

*THIS SIGN PERMIT APPLICATION IS DENIED MAKING ANY OR ALL THE FOLLOWING FINDINGS: THE PROPOSED SIGN IS NOT CONSISTENT WITH THE GOALS AND POLICIES OF THE COLFAX GENERAL PLAN, AND PROPOSED SIGN DOES NOT COMPLY WITH ALL APPLICABLE MUNICIPAL CODES AND ORDINANCES. THE PROPOSED SIGN DOES NOT COMPLY WITH APPLICABLE DEVELOPMENT STANDARDS AND THE SIGN WILL BE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, OR WELFARE. THE PHYSICAL LOCATION OR PLACEMENT OF THE SIGN IS NOT COMPLATIBLE WITH THE SURROUNDING NEIGHBORHOOD.*

**Building Official Signature:** \_\_\_\_\_ and/or

**Planning Director Signature:** \_\_\_\_\_

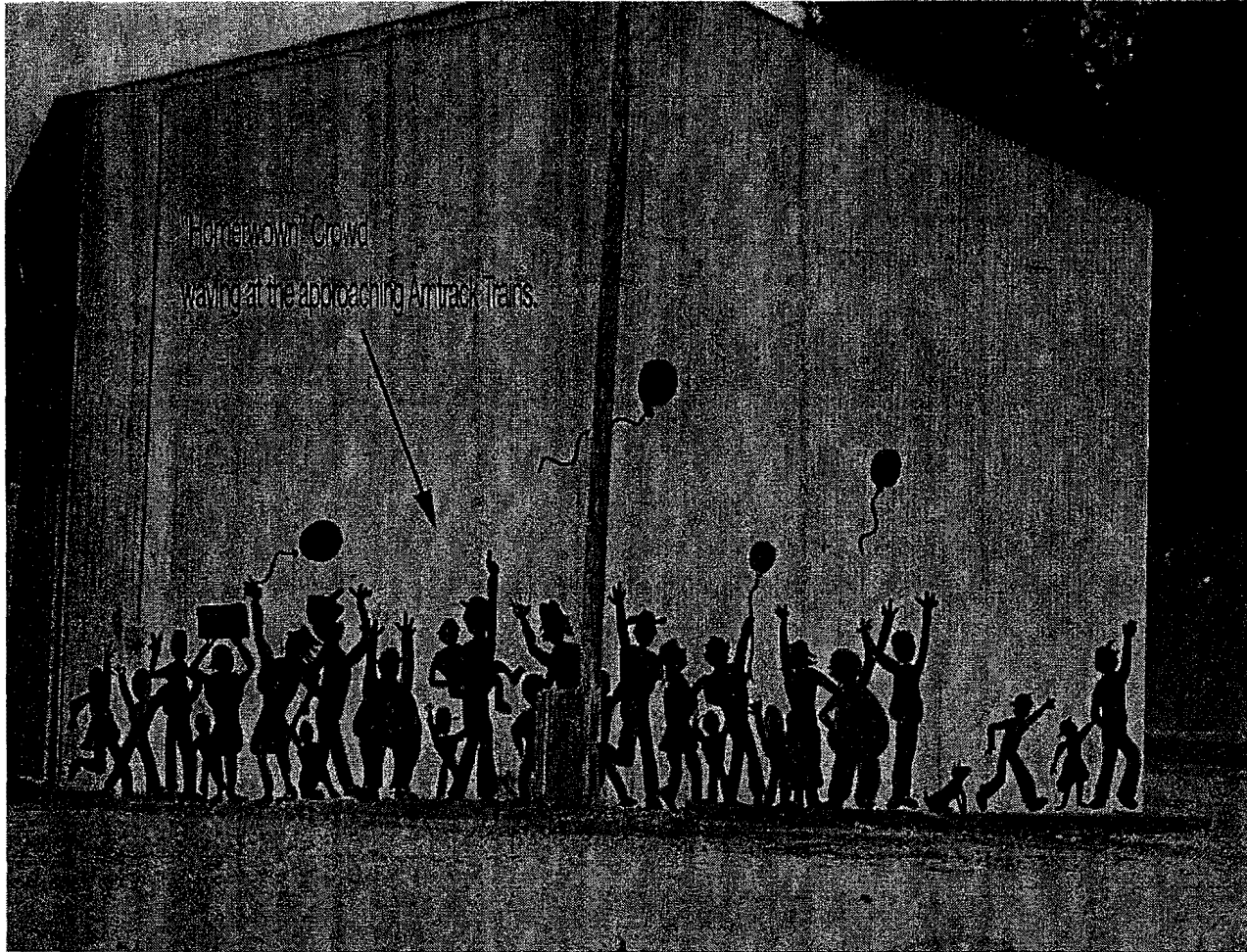


# Union Pacific Shed "Hometown" Mural Project

## Proposal - Artist: Jim Bowers

### "Sketch"

Actual Mural would incorporate 50-75 volunteers from the community as live models



Title of this project: "Hometown"

This Mural project has received approval from Union Pacific's Wayne Yarborough. My plan is to make this a HIGHLY interactive project. Through the local newspaper, we would invite the "entire community" to show up on a given evening and have their shadow included on the wall. We would ask that they wear "country style" clothing and as old and historic as possible. (We won't be as strict as we were on the first mural, but we still don't want "ball caps or skate boards". If someone were wearing jeans, a long sleeve shirt and a cowboy hat, they would be fine as would a long skirt. The message I am out to convey with these shadows is simply...

"welcome to colfax".

Jim Bowers  
(916) 521-4489  
jimbowers@foothill.net